



LIBRARY  
UNIVERSITY OF CALIFORNIA  
DAVIS











Arthur S Edie

Halls Corners.  
N.Y.



Very Truly  
S. Wallbridge

A LIFE

OF

CLEMENT L. VALLANDIGHAM,

BY HIS BROTHER,

REV. JAMES L. VALLANDIGHAM.

BALTIMORE:  
TURNBULL BROTHERS;  
8 NORTH CHARLES STREET.  
1872.

Entered, according to Act of Congress, in the Year 1872, by

**TURNBULL BROTHERS,**

In the Office of the Librarian of Congress, at Washington.





# C O N T E N T S .

---

## CHAPTER I—ANCESTRY.

	PAGE
First Ancestor in this Country—Great-Grandfather—Grandfather— Father—Maternal Grandfather—Mother, . . . . .	1

## CHAPTER II—BIRTH AND EARLY DAYS.

Nativity—First School—School Companions—Studious Habits— A Good Shot and a Successful Fisherman—The Discomfited Joker—Adventure on the Eastern Shore of Maryland— Reminiscence of Rev. C. V. McKaig—A Characteristic Com- position, . . . . .	9
---	---

## CHAPTER III—COLLEGE LIFE.

A Student of Jefferson College—Principal of Union Academy in Snow Hill—Letter of Judge Franklin—Letter of Irving Spence, Esq.—Re-enters College—Chosen Debater of the Franklin Society—Rules for Moral Culture—Difficulty with the President of the College—Demands and Receives an Honorable Dismission—Commences the Study of Law— The Contest at College—Tribute of the Rev. F. T. Brown, D.D. —Recollections of the Hon. Sherrard Clemens—Offered his Diploma, . . . . .	19
--	----

## CHAPTER IV—ENTRANCE ON POLITICAL AND PROFESSIONAL CAREER.

First Political Speech—Speech at New Middletown—Discussion with the Whigs—Rencounter on the Streets of New Lisbon—	
---	--

His First Speech to a Jury while a Student of Law—Admitted to the Bar—First Speech after Admission—Great Success as a Lawyer—Fixed Rules, . . . . .	32
---	----

## CHAPTER V—IN THE LEGISLATURE OF OHIO.

Elected a Representative—Rules for Conduct as a Legislator—First Speech—Report on the Eligibility of Officers of the State Bank to a Seat in the Legislature—Report on Legislative Districts—Speech on the Bill to Repeal the Ohio State Bank Act—Speech on the Sanctity of Cemeteries—Speech on the Tax Bill—The True Statesman Delineated—His First Vote—Courtesy to Opponents—Canvass of the County for Re-nomination—Nominated and Elected—His Marriage—Second Session in the Legislature—Unanimously Supported for Speaker by his Party—Resolutions and Speech on the Mexican War—The Wilmot Proviso—Votes to Reject Petitions for Dissolution of the Union—Popular Education—The Black Laws—His Reputation as a Legislator—Declines a Re-nomination, . . . . .	39
--	----

## CHAPTER VI—REMOVAL TO DAYTON, AND EDITORSHIP OF THE "EMPIRE."

Takes up his Residence in Dayton—Becomes Law-Partner of T. J. S. Smith, Esq.—Editor of the <i>Empire</i> —His Salutatory Address—Editorial on Politics and the Pulpit—Editorial on Dorrisism—Valedictory—Candidate for Judge, . . . . .	55
---	----

## CHAPTER VII—EVENTS FROM 1850 TO 1855.

Abolitionism—Compromise of 1850—Meeting in Dayton Opposed to it—Meeting in its Favor—Letter of Judge Crane—Resolutions—Mr. Vallandigham a Warm Friend of the Compromise—Candidate for Nomination for Lieutenant-Governor—First Nomination for Congress—Fails of Election—Journey Through Virginia and Maryland—Nominated for Congress	
---	--

	PAGE
in 1854—Knownothingism or Americanism—Charged with Being a Knownothing—Defeated—Speech on Abolitionism in 1855, . . . . .	61

## CHAPTER VIII—ELECTION TO CONGRESS IN 1856, AND CONTEST FOR THE SEAT.

Nominated for Congress by Acclamation—Result of the Election— Notice of Contest—The Ohio Rebellion—Mr. Vallandigham's Argument before the U. S. District Court—The Result— Prosecution of the Contest before Congress—Report in his Favor—Adoption of the Report and Admission to his Seat— Again Nominated and Elected—Speech on the Impeachment of Judge Watrous—Speech on the Tariff—The John Brown Raid—Mr. Vallandigham's Letter in Regard to it—Excite- ment in the Country, . . . . .	88
--	----

## CHAPTER IX—THIRTY-SIXTH CONGRESS.

Meeting of Congress—Helper's Book—Attempt to Elect a Speaker— Mr. Vallandigham's Speech—Speaker Elected—Free Trans- mission of Newspapers—The Hour Rule—Arming the State Militia—Goes to Charleston—Incident There—Letter to his Brother—Visits Home—Speaks at Detroit—Re-elected to Con- gress—Card to the <i>Enquirer</i> —2d Session of Congress—Letter to his Wife—Speech in Congress—Mr. Sickles on Coercion— Border State Meeting—Central Confederacy—Serenade and Speech—Visits Richmond—Letter to his Wife—Another Letter—Amendment to the Constitution—Misrepresented— Vote on the Compromise Measures—Denunciation and Reply —His Personal Peril—Private Circular—Letter to his Con- stituents, . . . . .	127
---	-----

## CHAPTER X—THIRTY-SEVENTH CONGRESS.

Meets on the 4th of July—Violent Excitement—Mr. V. speaks on Executive Usurpation—Affair at Camp Upton—Favors Equal Rights to the Jews—Vol. Army Bill—The Crittenden Resolu- tion—Military Academy Bill—Convention of the States—
--

Seizure of Mason and Slidell—Surrender of Mason and Slidell—Legal Tender Bill—Hickman's Assault and Repulse—Retort on Wade—Attempted Censure—Greeley Petitions—Democratic Address—A Lull in the Storm—Bursts Again—Threatened Arrest—Speech at Dayton—Renominated for Congress—Defeated, and the Cause—Cane Presentation—Jubilee Meetings—Meeting of Congress—Resolutions—Speech of Jan. 14—New Party—Debate on Conscription,	164
---	-----

#### CHAPTER XI—THE ARREST.

Congress Adjourns—Mr. V. speaks in Philadelphia—In New York—In Connecticut—His Welcome Home—Military Orders—Speech at Hamilton—Letter to Mr. Sanderson—Speech at Columbus—Meeting at Mt. Vernon—Account by Mr. Irvine—In the <i>Banner</i> —In the <i>Crisis</i> —Rumors of Intended Arrest—Assault on his House—Carried to Cincinnati and Imprisoned—Excitement in Dayton—Letter from the Prison,	231
--	-----

#### CHAPTER XII—TRIAL, &C.

Officers of the Commission—Charge and Specification—Examination of Witnesses—Mr. Vallandigham's Protest—Finding and Sentence—Character of the Commission—Habeas Corpus—The Result—Indignation Meetings—At Albany—In New York City—In Philadelphia—Effect of These—Application to the Supreme Court,	262
---	-----

#### CHAPTER XIII—EXILE AND POLITICAL CAMPAIGN OF 1863.

Mr. V. on the Gunboat <i>Exchange</i> —Parting Address—Interview with Gen. Rosecrans—Carried to the Confederate Lines—Incident at Shelbyville—Discussion about Receiving Him in the Confederacy—The Democratic Convention at Columbus—Mr. V. Nominated for Governor—Resolutions—Committee to Wait on the President—Their Letter—The Result—Comments Thereon—Mr. V. Leaves the South for Canada—Narrowly Escapes Capture—Reception in Canada—Speech at Montreal—Arrives at Niagara Falls—Address to the Democracy of	
---	--

	PAGE
Ohio—Enthusiastic Political Meetings in Ohio—Goes to Windsor—Reception—Letter to the Dayton Meeting—Another Letter—Vallandigham's Birthplace—The Result of the Election—Defeated by Fraud—Mr. V.'s Letter Thereon—Letter to his Wife—Visit of the Students of the University of Michigan—Address to Them—Manner of Life in Exile,	296

#### CHAPTER XIV—RETURN FROM BANISHMENT.

Attempts to Return, and Fails—Letter of Dr. Walters—Telegram of Mr. P.—Note of Mr. V.—His Disguise—Crosses the River, and Enters the Cars—Narrowly Escapes Arrest—Reaches Hamilton—His Reception—Letter of Mr. McMahon—His Address—His Welcome by the Democracy—Intends to Stay—Illness of His Mother, and Letter to Her—Letter on Her Death—Speaks in Dayton—In Syracuse, New York—Attends the Convention at Chicago—Supports McClellan in the Campaign,	347
---	-----

#### CHAPTER XV—PARTISAN PROSCRIPTION AND THE SONS OF LIBERTY.

Evil Passions Engendered by the War—Regrets since Expressed by Republicans—Mr. V. Proscribed—Arbitrary Arrests—Freedom of Speech and of the Press Assailed—Organization of the Sons of Liberty—Mr. V. Solicited to Join Them, but Refuses—Again Applied to, and Consents—Object of the Organization—Mr. V. made Grand Commander—Prevents Abuse of the Order—Denounces the Attempt to Pervert It—His Speech at Peoria, Illinois,	369
---	-----

#### CHAPTER XVI—PATRIOTISM AND LOVE OF THE UNION.

A United States Man—False Charges of Disloyalty—Testimony of Mr. McCullough—Of Rev. Dr. Brown—Sentiments of Prominent Republicans—Mr. V.'s Views—Opposition to the War—This Not Disloyal—Illustrated—Testimony of Gen'l Ward—Of New York <i>Herald</i> —Not Influenced by Southern Sympathy—Not Regarded by the South as a Friend of Her Cause—	
---	--

Honest and Sincere—Letter to His Brother—To Mr. Perham —Reasons for Opposing the War—The War Unconstitutional —Could be Averted—War a Great Evil—Especially a Civil War—Relatives in Both Armies—War Could Not Restore the Union—Denunciation of Abuses of Power, . . . . .	386
---	-----

#### CHAPTER XVII—EVENTS FROM 1865 TO 1870.

Effort for Peace—Letter to Greeley—Incident in Dayton—Death of President Lincoln—Letter to the Young Men's Democratic Association of Lancaster—President of the State Convention . —President Johnson and the Radicals—Philadelphia Conven- tion—The Canvass of 1867—Speech at Mt. Vernon—Letter of Mr. McCulloch—Senatorial Contest—Democratic National Convention of 1868—His Nomination for Congress—The Canvass, and the Result—Devotes Himself to the Law—Con- gressional Election of 1870, and Speech of Hon. L. D. Camp- bell—Mr. V.'s Speech to the Colored People, . . . . .	402
--	-----

#### CHAPTER XVIII—THE NEW DEPARTURE.

The Montgomery County Meeting—Speech of Mr. Houk—The Reso- lutions—Speech of Mr. Vallandigham—The Manner in which the Movement was Received—Letter of Judge Chase—Ex- tracts from Different Papers—Opposition to the New Depart- ture—Defence by its Friends—Motives of Mr. Vallandigham —His Last Political Speech, . . . . .	436
---	-----

#### CHAPTER XIX—HABITS OF STUDY, AND MENTAL DISCIPLINE.

Early Studious Habits—Letter of the Hon. S. Clemens—Extracts from Letters to his Brother—His Theological Acquirements— Letter from the <i>Commercial</i> —Mr. V. a Fine Writer—Letter on the Training of his Son—Remarkable Interview with Colonel Key, . . . . .	452
---	-----

#### CHAPTER XX—SOCIAL AND DOMESTIC CHARACTER.

Illustrated—Letter to his Brother James—To his Sister—New Lisbon and the Old Homestead—Letter to his Brother—To	
--	--

	PAGE
the same—Sympathy for Friends in Trouble—Letter to his Sister-in-law—Deeds of Kindness—Letter to his Mother—To his Brother—Slander Refuted—Extracts from several Letters to his Mother—Letter on the Death of his Child—Social Qualities—Personal Appearance—Letter to his Wife—To his Son—Recollections of his Cousin, Mrs. Egbert, . . .	463

## CHAPTER XXI—RELIGIOUS CHARACTER.

Early Religious Training—Religious Element of his Character—Not Obtrusive—No Bigot—Letter to his Brother James—Another Letter to the same—Note from his Mother—Letter to his Mother—To his Brother—Becomes a Communicant in the Presbyterian Church—Letter of Rev. J. H. Brookes, D. D.—Withdraws from the Church, and the Cause—Attends the Lutheran Church—Letter of Rev. D. Steck—Letter to his Sister Margaret—Remarks Thereon—Letter to his Brother—To his Mother—To the same—Letter of the Rev. John Haight—Letter on the Death of his Sister-in-law, . . .	492
---	-----

## CHAPTER XXII—HIS DEATH.

The Town of Lebanon—The Alleged Crime of McGehan—The Trial—The Fatal Accident to Mr. V.—Account from the <i>Enquirer</i> —From the <i>Commercial</i> —How the News was Received in Dayton—Remains Brought to Dayton, . . .	515
--	-----

## CHAPTER XXIII—THE FUNERAL.

Great Concourse—Universal Sorrow—Service at the House—The Procession—Service at the Grave—Interesting Incident—The Death of Mrs. Vallandigham, . . . . .	536
--	-----

## CHAPTER XXIV—TRIBUTES TO HIS MEMORY.

Meeting of the Dayton Bar—Remarks of Judge Lowe—Of Hon. P. Odlin—Speech of Senator Thurman—Of Hon. S. S. Cox—Of Gen'l McCook—Of Hon. L. D. Campbell—Remarks of G. W. Houk, Esq., and Resolutions—Meeting at Cincinnati—Speech	
---	--

	PAGE
of Hon. W. S. Groesbeck—The Press on his Death—Boston <i>Post</i> —Chicago <i>Tribune</i> —Cincinnati <i>Volksblatt</i> —Cincinnati <i>Volksfreund</i> —New York <i>Sun</i> —Cincinnati <i>Enquirer</i> —Eulogy of Hon. George H. Pendleton—Of S. W. Gilson, Esq.— Tribute of Hon. J. W. Wall, . . . . .	544



## PREFACE.

---

To write the biography of a near and beloved relative is a difficult and delicate task. This task I have with much diffidence attempted, and I feel very imperfectly performed. From my own personal and intimate knowledge of the deceased; from his letters and speeches; and from the recollections of many who were long acquainted with him: I have endeavored faithfully to delineate his character.

To the friends who have aided me by furnishing facts, incidents, and recollections, I return my grateful acknowledgments.

To my son, James L. Vallandigham, Esq., of Hamilton, Ohio, I am under special obligations, particularly in the political part of the work.

I am also indebted to the daily and weekly papers for much valuable information. These newspapers, edited as they generally are by men of ability and culture, with their intelligent correspondents, devoting themselves to the business of collecting and recording with fullness and minuteness events from day to day as they occur, are the rich repositories to which biographers and historians must necessarily resort to obtain much of the material needed in the performance of their literary labors.

From this source I have gathered information that could be obtained from no other.

Should this volume prove acceptable, it may be followed by another—a small one—containing Mr. Vallandigham's Lecture on the Bible, and selections from his letters and speeches.

I regret that I have not been able to prepare a more worthy memorial of one admired for his talents, honored for his integrity, and loved for his amiability with the warmest affection.

J. L. VALLANDIGHAM.

NEW ARK, DEL., *Dec.* 20, 1871.

A LIFE  
OF  
CLEMENT L. VALLANDIGHAM.

---

CHAPTER I.

ANCESTRY.

THE ancestors of CLEMENT L. VALLANDIGHAM were, on the paternal side, Huguenots; on the maternal, Scotch-Irish. From the family records, which have been made up with much care and after thorough investigation, and are believed to be accurate, we gather the following.

The family came from French Flanders. The original name was VAN LANDEGHEM; and some of the name lived near Courtrai 570 years ago. They were knights then, and one of them commanded a body of knights under the "Lion of Flanders," at the battle of the "Golden Spurs," fought near Courtrai in 1302.

MICHAEL VAN LANDEGHEM and JANE his wife, who were probably the first of the name who came to this country, lived in Stafford County, Virginia, in 1690. They afterwards removed to what was then Northumberland County, between the

Rappahannock and Chesapeake Bay. There their son Michael was born in 1705. This son, prior to 1738, removed to Fairfax County, not far from Alexandria, where he became a lessee of Lord Fairfax. He married Miss Anne Dawson of Northumberland County. It was during his life that, for more agreeable sound and easier pronunciation, the name was changed from VAN LANDEGHEM to VALLANDIGHAM.

MICHAEL and ANNE VALLANDIGHAM had five children, three sons and two daughters. GEORGE, the youngest son (the grandfather of the subject of this memoir), was born about the year 1736, near Alexandria, Virginia. Having received a good education, he spent several of his earlier years in teaching as Principal of various High Schools and Academies in Virginia and Maryland, meantime studying law and being admitted to the bar. During this period of his life, as well as subsequently, he pursued also the avocation of surveyor. About 1768 he obtained an appointment as Principal of an Academy in Prince George's County, Maryland, where he resided several years, marrying meantime (about 1771) MISS ELIZABETH NOBLE, daughter of Mr. Joseph Noble, of the same county. About 1774, accompanied by several families, his wife's relatives, he crossed the Alleghanies to the country around Fort Pitt, and selected and purchased a thousand acres of excellent land, on Robinson's Run, then in Youghiogany County, Virginia, but now in Allegany County, Pennsylvania. In the many conflicts with the Indians which occurred at that time and in that region, he took an active part. From Lord Dunmore he received the rank and title of Colonel, and was with Dunmore in the expedition against the Chillicothe towns in 1774. He was with Colonel Broadhead in the expedition up the Allegany

in 1779, and also with the same officer in the expedition against the Delawares, on the Muskingum, in 1781. In his civil capacity also he occupied a high and useful position in society. He labored faithfully and extensively in his vocation as surveyor, was for many years a Justice of the Peace, and between the years 1780 and 1800 pursued the practice of law in Pittsburg, Pennsylvania, and Wellsburg, Virginia.

Against the famous "Whisky Insurrection" of 1791-4, he bore an active part, and suffered persecution accordingly. He disapproved, indeed, of the excise, but thought violent and armed resistance an improper and inexpedient mode of opposition. He advocated remonstrance and repeal effected by peaceable means, and accordingly, by way of example, drew up and circulated a remonstrance against the law. He attended and addressed various meetings of the citizens, and though threatened with personal violence and the burning of his house and barns, and the destruction of his other property, hesitated not to avow his utter opposition to the rash and violent measures proposed and adopted. His courage and fearless honesty commanded respect, and though acting also officially in his capacity of Justice against the insurgents, he escaped without harm. Some years afterwards he was a candidate for Congress, and partly from his opposition to the insurrection, and partly because he refused to furnish the customary barrel of whisky to the electors, suffered an honorable defeat.

In religion he was a Presbyterian, firm himself, tolerant of others; a strict observer of the Sabbath, regular in his attendance upon public and private worship, in heart and life, in walk and conversation, a Christian. For the cause of education he did all that the circumstances of the country and times per-

mitted, and was among the earliest supporters and patrons of what afterwards became Jefferson College, where his second son graduated, and where four of his grandsons and one of his great-grandsons were educated.

He was very active and energetic both mentally and physically; fluent in speech, and excelling in conversational powers. He was amiable in disposition, earnest and firm in his opinions, and diligent in the discharge of duty. Whatever he willed he willed strongly, and whatever his hands found to do, he did it with his might. Courage, as well moral as physical, was a pre-eminent trait in his character. During the Insurrection of 1794, a threat was made to tar and feather him, on a particular occasion, in case he should appear and offer opposition. Hearing of the threat, he went forthwith to the meeting of the insurgents, addressed them in a long and earnest speech, pointing out the folly and illegality of their course, and dared them to execute their threat. He returned home unmolested.

Passing through a long and useful life, during which he exerted always a controlling influence on all around him, he died on the 4th day of October, 1810, at the house of one of his daughters, aged about 72.

Perhaps an apology is due for so extended a notice, in this place, of Col. Vallandigham: if so, it is found in the fact that between him and his grandson whose life and character we are about to exhibit, there were many striking points of resemblance; and besides, we have thought that the many excellences of the man, and the service which as a pioneer he rendered to the region in which he lived, deserved recognition and memorial. As far as we know, no sketch of his life and services has ever been published.

Col. Vallandigham, as we have before said, married Elizabeth Noble. She was a woman of intelligence, refinement, and worth. Her mother's maiden name was Dent. Both the Nobles and the Dents were of English descent, and were among the earliest and most respectable settlers in the State of Maryland.

Col. Vallandigham had five children, two sons and three daughters. The second son, CLEMENT (the father of the subject of this memoir), was born at the old family residence, near Noblestown, then within the limits of Virginia, now Alleghany County, Pennsylvania, on the 7th day of March, 1778. He was educated at Jefferson College, where he graduated in 1804. There being at that time no theological seminaries in the Western country, he studied divinity under the private tuition of the Rev. John McMillan, D. D., to whom many of the early Presbyterian ministers of the West were indebted for their theological training. He was licensed to preach June 25, 1806. On the 14th day of May, 1807, he was married to Miss REBECCA LAIRD, of Washington County, Pennsylvania. They immediately removed to New Lisbon, Ohio, and on the 24th day of June following he was ordained and installed pastor of the Presbyterian church in that place. There he spent the remainder of his life, during the whole of that time officiating as pastor of that church, and part of the time having also the charge of the congregations of Long's Run and Salem. He was a man of fine mind and a good scholar. His many virtues endeared him to his friends, while so pure and upright was his conduct that even his bitterest enemy could say nought against the integrity of his character. Of no man could it be said with more truth than of him, that "even his failings leaned

to virtue's side." One striking trait of his character was *firmness*. He would do whatever he was convinced was right, regardless of consequences. Though naturally extremely sensitive, and therefore not indifferent to the approbation or censure of those around him, neither the desire of the one nor the fear of the other could induce him for a moment to swerve from the path of duty. He was also distinguished for *hospitality*. Although accustomed to entertain company to an extent that by many would have been considered oppressive, and that with his limited income he was ill able to bear, the friend and the stranger always found a cordial welcome beneath his kind roof and at his hospitable table. He was likewise remarkable for *amiability* of disposition. He was a tender and affectionate husband, a kind and indulgent parent, and a sincere and faithful friend. To his *faithfulness* in the discharge of ministerial duty, all who knew him bore witness. He shunned not to declare the whole counsel of God. He was instant in season and out of season. He attended faithfully to the stated ministrations of the pulpit, and he visited his flock from house to house. He was always ready to administer the balm of consolation to the wounded spirit, to soothe the couch of disease, and to pay the last sad offices which ministerial duty devolved upon him to the departed. But the most important and estimable trait of his character was his humble, unfeigned *piety*. His religion was not an occasional impulse, but a steady, unwavering principle. His conduct, the fruit of it, was uniformly most exemplary; not only more so than that of most men, but more so than that of most ministers. The writer, during a very long acquaintance with him, never knew him guilty of a single act by which his piety could for a moment be called in question.



He died on the 21st day of October, 1839, "greatly beloved and regretted by a people among whom his ministerial labors had been eminently successful."

JAMES LAIRD (the maternal grandfather of CLEMENT L. VALLANDIGHAM) was born in the county of Down, Ireland, July 17, 1748. He was of Scotch descent. In the spring of 1766 he left Ireland for America, where he landed May 24, in the same year. He settled in eastern Pennsylvania, and on the 17th of November, 1769, was married to Mrs. Martha Black, of Lancaster County. She having died March 29, 1777, he was married a second time, July 3, 1788, to Miss Margaret Jane Sproat. In 1795 he emigrated from York County to Washington County, where he spent the remainder of his life, pursuing the avocations of farmer and merchant. He died August 19, 1803, leaving six children, four sons and two daughters. His sons were all men of more than ordinary talents, and well educated: two of them were graduates of Washington College. One of them became a distinguished lawyer, the other three were ministers of the Gospel. His daughter REBECCA (the mother of the subject of this memoir) was born in York County, Pennsylvania, on the 20th day of April, 1789. Partly at home, and partly in a Female Seminary in Washington, she received her education. When quite young she was married, and removed with her husband to what was then comparatively a wilderness. A woman of superior intellect, of great energy, and of devoted piety, she was indeed a help-meet for her husband in his arduous labors as a pioneer minister of the Gospel. She managed the affairs of her household with wisdom and discretion, and made her home to her husband and children and friends a home of sunshine and joy. With wonderful tact and

skill she trained up her children and a large number of grandchildren, who loved her with the warmest affection, and to whom her memory is as "ointment poured forth," unspeakably precious.

She died on the 8th day of July, 1864, esteemed and beloved and mourned by a community in which she had lived for nearly sixty years.

## CHAPTER II.

### BIRTH AND EARLY DAYS.

CLEMENT LAIRD VALLANDIGHAM was born in New Lisbon, Columbiana County, Ohio, on the 29th day of July, 1820. Of the seven children of his parents he was the fifth, there being two sisters and two brothers older, and a brother and a sister younger. This younger brother, a young lawyer of great promise, died in 1850. The other brothers and sisters still survive. His father received for his ministerial services the amount of salary that was customary in those times—as large perhaps in proportion as is received in the present day; but it was inadequate to his support. In order to make up the deficiency, and for the purpose of preparing his four sons for college, he established a classical school in his own house. This school was continued first by his eldest, and afterwards by his second son. Here were taught the Armstrongs, the Begges', the Blocksomes, the Brookes', the Grahams, the Harbaughs, the Hessins, the McCooks, the McKaigs, the McMillans, the Richardsons, and others; many of whom have occupied positions of eminence and usefulness, as lawyers, physicians, ministers, merchants, &c. Among them was the late General Wm. T. H. Brookes, a gallant officer in the Mexican war and in the late civil war; and Colonel George W. McCook, recently the Democratic candidate for Governor of Ohio.

It was in this school that Clement pursued his studies preparatory to entering college, and even at that early age displayed those abilities for which he was afterwards so greatly distinguished. Before he was two years old he had learned the alphabet, and when only eight commenced the study of Latin, and by the time he had completed his twelfth year he had read the whole Latin and Greek course, and was prepared for the junior class in college. He was, however, considered too young to be sent from home, and for a number of years he spent his time in reviewing his studies, general reading, and in out-door sports and exercises calculated to invigorate the body.

At this time he was accustomed, of his own accord, to rise at 5 o'clock in the morning, both winter and summer, and frequently he devoted ten or twelve hours a day to study. The writer has before him a little note-book kept by young Vallandigham when only sixteen years of age, in which is a memorandum of "Time spent in studying." In this he made an entry every day in the most careful manner. As an illustration, the following is a literal transcript of one of the entries:

"Monday, Jan. 23, com. 15 p. 5 A.M., quit 8; rec. 25 p. 9, quit 3 P.M.; rec. 30 p. 4, quit 15 p. 9; rec. 20 of 10, quit 10. Total, 12.25 min."

This careful memorandum of the hours spent in study he kept from the 14th day of November, 1836, until the 25th day of January, 1837.

Notwithstanding his studious habits as a boy, he was fond of out-door sports, although never very fond of what the youngsters call playing. He much preferred going out gunning or fishing, to playing ball, or any of the other games so eagerly pursued, as a general thing, by boys. At an early age he be-

came an excellent shot, and he was all his life a patient and successful fisherman. At this time, as in later life, his patience and perseverance excited the amusement as well as the admiration of his companions when he went on a fishing excursion. Whilst those who accompanied him, if the "luck" was not good, would soon become restless, and disposed to try first one place and then another, he would choose his place, and remain there with all the taciturnity and endurance of an Indian until success crowned his efforts and rewarded his patience; and it was a matter of remark that however hopeless at first the prospect seemed, and disheartened his companions became, he always managed in the end to catch some fish.

The adage that "the child is father to the man" is an old and trite one. Its truth however is so undeniable that it is no source of wonder to find that, among all classes of readers and thinkers, there is exhibited a lively desire to learn something of the childhood of one who has occupied a large space in the attention of the public. The impression is strongly felt that in some way those remarkable traits which have given a man distinction or fame must have been displayed at an early period of life, before the mind had yet matured, and before the experience gained by contact with the world, in its various relations, had produced caution, and the reticence and concealment of feeling which are the natural results of familiarity with the passions and the frailties of human nature. As a boy Mr. Vallandigham displayed many of those characteristics which afterwards attracted sometimes the admiration, and sometimes the antagonism of his fellow-men. He was studious, ambitious, courageous, and resolute; ever more ready to meet opposition half-way than to evade or propitiate. When only about twelve

years old he was one day walking down street in New Lisbon, and was about to pass a crowd of rude boys upon the side-walk. One of them who was unacquainted with him, thought it would be a good joke to give him a fall. Accordingly, as young Vallandigham was about passing, he suddenly thrust his foot out in front of him for the purpose of tripping him. The quick eye of Vallandigham caught the movement, and halting but an instant, he suddenly dealt the young ruffian a blow, so rapidly delivered and so violent that the practical joker was laid upon the ground half-stunned, and then without a word, or even looking around, he calmly pursued the even tenor of his way. "Who was that young fellow? who is he?" exclaimed the astonished assailant as he arose to his feet. "Why, it's Clem. Vallandigham, and you had better let him alone," answered his companions, which advice he was very willing to follow.

An incident which occurred to him when sojourning temporarily on the Eastern Shore of Maryland, serves well to show the firmness of his character whilst he was still in years a boy. He had been invited, along with several gay young men, most of them older than himself, to a supper-party given by a hospitable old gentleman of that most hospitable county of Worcester. The host was a gentleman of the old school, kind-hearted and jovial, but a little too much addicted to the use of the "ardent." After a hearty repast, liquors were brought in, and the fun soon became "fast and furious." At this time, and indeed up to 1854, Mr. Vallandigham not only did not drink liquor of any kind himself, but was considered by some of his friends almost fanatical in his views upon the temperance question. Accordingly he refused at the very commencement of this part of the entertainment to partake, and

desired to excuse himself and return home, as his further presence, under the circumstances, might be a damper to the enjoyment of the company. But his host would not listen to this, and he was assured that his scruples on the subject should be regarded. But alas! the promises of all men are uncertain, and this is more especially true when those who make them are in the habit of indulging to excess in the use of stimulants; and as the wine went round, and each one became more reckless, it appeared as plain to our gay friends as if it were a revelation, that if Vallandigham would not drink of his own accord it was their duty to make him drink, so as to introduce him to the pleasures of Bacchus, and render him as jolly as they themselves felt. In an instant he was surrounded by the jovial youths, and they swore that the man who could drink and would not, should be made to drink. Mr. Vallandigham now found himself in a most embarrassing situation. The young men were his friends, they were excited by liquor, all of them high-spirited and brave, and now perfectly reckless, and they were determined that he should drink. Most persons, rather than seem ungracious, and some because of the danger of refusal, would have submitted; but he was made of sterner stuff. Not alone did his conscientious scruples urge him to resistance, but he was incensed that forcible means should be resorted to in order to compel him to violate the firm determination he had formed. Extricating himself with a bound from those who surrounded him, he drew his pistol and solemnly warned them to desist, assuring them with earnestness and emphasis that he would die before he would submit to the indignity threatened, or disregard the opinions he had formed and the resolution he had adopted on the subject of drinking,

by tasting a drop. This produced a momentary silence. The young men were brave, but they saw there would be trouble, and they stopped a minute to think. 'He then explained to them the impropriety of their conduct, and in an instant peace was made, and they all sat down satisfied. He shortly after withdrew, leaving them to their carousal, which was kept up to the "wee sma' hours," and returned alone to the village whence most of the company as well as himself had come.

The Rev. Clement V. McKaig, who in boyhood was an intimate friend of Mr. Vallandigham, has furnished the following recollections of his early days, which we think will be interesting :

"It is now nearly 40 years since we attended the same Academy — first when it was under the care of his venerated father, the Rev. Clement Vallandigham, pastor of the Presbyterian Church, New Lisbon, Ohio, to whom it owed its origin. We were together also when the Academy was taught by his brother, the Rev. J. L. Vallandigham, then a recent graduate of Jefferson College, Pa. During the largest part of the time we were class-mates, and read together the principal portion of both the Latin and Greek course. In this way I had an opportunity to know him intimately. In person he was slender, erect, symmetrical, and finely formed. He was of fair complexion, with a bright animated eye and speaking countenance. Altogether he was strikingly handsome. In disposition he was amiable, kind and generous, always cheerful, lively and social ; on this account a general favorite in the school. In morals he was remarkably upright and exemplary. I cannot now recollect that he was addicted to any vice whatever, even of a boyish nature. The excellent religious training and example of the parental household seems to have impressed and controlled him to an extent quite unusual, and so shaped his life at this period that it was to a high degree blameless. In the class, as in all school exercises, he always stood high, because he was both industrious and ambitious. Indeed, ambition to acquit himself well, and even to excel, was a marked trait in his



character from his earliest school-days. I think no one in the school manifested such a laudable pride of good lessons, or showed so much manly honorable sensitiveness on this point. He scorned the idea of laziness as well as inability, and looked upon both as alike shameful. I remember when we were reading Virgil and Horace, there arose in the class a good deal of strife in reference to long lessons. The matter of long lessons was encouraged by the Principal: some, however, protested and complained bitterly. But Mr. V., though the youngest, never objected; on the contrary, always cordially acceded to the largest number of lines, and then came prepared to read the entire portion that had been assigned. And from what I know of him I am sure he would have sat up half or all the night for study, had it been necessary, rather than have asked for lessons any shorter. To be amply prepared for everything that was expected of him, and to be fully equal to whatever he attempted, was a noticeable feature in his character. Nor was it so much pride as principle with him. He felt that whatever was required to be done, could be, and should be done, and should be done well; and he never seemed satisfied with himself unless this result was attained. If I mistake not, this feature and habit also continued with him, grew with his growth; and to it may be attributed, in an eminent degree, much of his success in life.

“In his constitution there was a strong, flowing enthusiasm; and this, combined with a high order of talent and a vigorous unwearied industry, gained for him the position of acknowledged superiority. Yet he never claimed such a position for himself. He was high-spirited and aspiring, but never haughty, or envious, or vaunting. His emulation was too frank and generous to excite any jealousy. And withal he was so ready to encourage and assist others, and so unassuming in regard to himself, there was no struggle in reference to place, and no dispute in respect to merit or proficiency.

“Apart from all this, we might note here as characteristics of mind belonging to Mr. V., activity, love of acquisition, readiness and vivacity of communication. He delighted to exercise his gifts. He never shirked any duty. He counted nothing a task that promised improvement. Composition and discussion, disliked and shunned by most young students, were apparently a pleasure to him. He was therefore uniformly ready, whenever called upon, for composition, debate, and declamation. It

very early appeared that his tastes and talents had a peculiar adaptation in this direction, and that in all his performances there was infused such a life and relish that he must necessarily in the end greatly excel. For one of his years he had read considerable; his memory was quick and retentive; his imagination, if not brilliant, was chaste and prolific; his judgment discriminating, his language pure, easy, and quite fluent, and his manner pleasing and attractive. On suitable occasions, whether before the school or larger audiences on 'Exhibition Day,' he would often acquit himself with the highest credit and acceptance. I recollect that at such times he would come forth manly and graceful, full of energy and earnestness, face glowing with youthful eloquence, his soul absorbed in his theme, his thoughts or arguments fresh and striking, his utterance clear and rapid. He was therefore sure to command appreciation and admiration. Here undoubtedly was foreshadowed, not by any means indistinctly, that element of power, eloquence and oratory, which afterwards made him famous as a lawyer, and a successful popular speaker. He never was a mere surface-bubble, a thing to glitter and deceive, a tyro in knowledge. He mastered whatever he undertook. He thoroughly investigated whatever he attempted to elucidate. His knowledge was accurate as well as comprehensive. He never attempted to lead others, except as an honest, intelligent conviction and careful examination impressed his own mind. Then he would appeal to the reason and judgment rather than the impulse and prejudice. In youth he was free from pedantry as well as sciolism, and could never be charged with artful trickery in displaying knowledge simply to create confidence or excite applause."

A composition, written by him when sixteen years old, indicates the bent of his mind at that early age, and the ambition which filled his soul with bright visions of future honor and eminence:

*"The necessity of exertion to secure intellectual eminence."*

"This is not a land upon which Nature has so profusely scattered her gifts that we may live without labor. We inherit

no royal estate, no hereditary slaves toil for our subsistence while we live in luxury and idleness. Our very existence depends upon our exertion; and the maxim, *Quisque suæ fortunæ faber*, is here emphatically true. While exertion is essentially necessary for our pecuniary prosperity in this country, it is much more so to secure great intellectual eminence. As soon as we have finished our college studies we are thrown upon the cold heartless world to struggle for ourselves. If we have well improved our time and talents while we had the opportunity, we may meet its frowns with indifference, or return them with contempt. There is much to encourage and console us while toiling over our dreary studies, in the reflection that whatever we determine to be, by proper exertion we generally may be. Demosthenes determined to be an orator, and his success affords us the highest encouragement. Although not fitted by nature for the profession which he had chosen, by application and diligence he was enabled to overcome her defects; and now while the names of millions have been buried in the ocean of forgetfulness, his fame gathers fresh laurels from the lapse of time. When we are tempted to give up our studies in despair, let us remember that although exertion may now be painful and fatiguing, we shall some day reap the reward of our toil. The experience of both the past and the present teaches us the truth of this observation. Although almost all desire to rise to eminence in their lifetime, and to leave to future generations some memento of their former existence, few seem to realise its dependence upon themselves. They appear to think that if they are destined to be great, they will be so without any exertion on their part. Thus many, whom application and study might raise to the highest pitch of fame, deluded by this vain supposition, suffer themselves to drag out their existence in a miserable mediocrity. Others seem to think that the great design of life is to live in idleness and pleasure. If they but have the means to gratify their animal appetites and passions, they are content to live in obscurity without making one further effort. Thus they pass their time in one continual round of pleasure and dissipation, regardless of the future; and when the hour of death approaches, they find themselves dying without having done a single action to perpetuate their names. Thus they descend into the grave, 'unwept, unhonored, and unsung;' while those whose exertions have secured them immortality and fame, are followed

to the tomb by the tears and regrets of millions. 'Tis true the bodies of both lie mouldering in the dust; yet while the one is buried in merited oblivion, the other will be remembered with honor by the remotest posterity. Considering then the different lot of the two, who would not prefer the latter? Who would not forego the trifling and contemptible gratification which pleasure bestows, for the fame of Demosthenes, even when purchased with such labor and toil? Beauty will fade, wealth will vanish, and pleasure gratify us for but a few short moments, but greatness secured by exertion will never decay."

This composition as a literary effort may not be better than many written by bright boys of the same age in the present day, but it is rendered significant and worthy of consideration by the after-life of its author. The line of conduct by it indicated was followed by him throughout his busy and varied career, and the high and earnest ambition thus early developed was the spur which continually urged him on to wonderful exertion in his professional business and his political struggles. Cardinal Wolsey, according to the immortal bard of Avon, bade Cromwell "fling away ambition": yet it is an honorable, an ennobling passion, and when joined to a high sense of honor, integrity, and great abilities, its existence is not only a blessing to the possessor, but also to the generation in which he lives, and sometimes many generations that follow. In solitary walks over the beautiful hills of his native town, in constant and close application to study, and in the practice of oratory in the retirement of his own home, long before he had arrived at man's estate, young Vallandigham was laying up those stores of knowledge and acquiring that mental discipline that fitted him for the busy and active and exciting scenes of his after-life.

## CHAPTER III.

### COLLEGE LIFE.

IN the fall of 1837 Clement L. Vallandigham became a student of Jefferson College, Canonsburg, Pennsylvania. He entered the Junior class, for which he was well prepared, having read an extensive course in both Latin and Greek, and being also well versed in the other branches requisite for admission into that class. He remained for a year, diligently and successfully pursuing his studies, and at the same time taking a deep interest and an active part in the exercises of the Franklin Literary Society, of which he was a leading member. He would have returned the following year, but believing that his father—with a large family dependent upon him, and health somewhat impaired—could not well afford the means, he resolved that by teaching he would himself provide the money necessary to complete his education. Having accordingly obtained the appointment of Principal of Union Academy in Snow Hill, Worcester county, Maryland, he removed to that place in the autumn of 1838, where he remained for two years. There he faithfully performed his duties as a teacher, and at the same time endeavored to store and discipline his mind by constant reading and study.

The Hon. John, R. Franklin a companion of his early days, thus writes of him, in a letter dated Snow Hill, August 17, 1871:—

“Your brother Clement and myself came to this place to reside on the same day in the autumn of 1838—he to take charge of the Academy, and I to read law. His room and mine adjoined, and we were as intimate as it was possible to be. We were from the same college, our aims in life were the same, and in our political principles we differed just enough to give a spice to our social intercourse. His life here was a very tranquil one, devoted to study and to the society of his friends. I remember no incidents of importance by which it was diversified. He was an undergraduate when he came to this place, and he carefully kept up his college studies; but at the same time he was a diligent student of history, and was in the habit of committing his thoughts to writing. We had at the time a spirited debating society in town, of which he was an active member. He prepared himself with the same research and labor for our little tilts as he afterwards did for the larger fields in which he was called to act later in life. Indeed I think the great secret of his power was that whatever the occasion might be, he always made himself master of the situation. About this time he acquired quite a reputation as a temperance speaker. Some of his speeches were published and extensively circulated. The society of Snow Hill was then of the best. I have seldom known a country village to possess so much refinement and culture as were to be found here at that time. He was one of the ornaments of our little circle, and participated in all its gaieties. Even then he was a political student—not of the newspapers, but of those writers who assisted in framing the Constitution, and who have been its ablest expounders. I well remember his familiarity with the *Federalist*. It was the text-book of his youth, and he studied it thoroughly. His principles then and afterwards were mostly drawn from its teachings. You know how the whole country was agitated in 1840. I believe his whole family were Whigs; certainly in this place all his friends and associates, both male and female, were of that party; but he had based his creed upon a view of the Constitution which was utterly at war with their principles and practice. And he stood up almost alone against the tempest which in that day swept everything before it. His whole life has been but an exemplification of the spirit which he then displayed. If in a single instance he has ever swerved, either under the allurements of office or when the unscrupulous

hand of despotic power was laid upon him, I have yet to hear it whispered in any quarter. I think his best claim to the memory and gratitude of his countrymen is that he never was afraid to speak the truth."

Irving Spence, Esq., who was one of his pupils when he taught in Snow Hill, in a letter dated August 28, 1871, thus gives his recollections of him:—

"When Mr. Vallandigham came to Snow Hill as Preceptor of Union Academy, I was only twelve years of age. I do not think his age exceeded eighteen. Perhaps I was too young to be a judge of character, but my recollections of some traits which impressed me thirty years ago are so vivid now that I must note them. The health of the Assistant Teacher in the Academy failed, and he was compelled to give up teaching. The advanced class in the Primary department, of which I was a member, was placed under the charge of Mr. V. But I saw much of Mr. V., not only in the school-room, but at the house of my mother and in the families of my relatives, where he was a frequent guest.

"Mr. Vallandigham was a man of *decided* character: the traits not only well defined, but *strong*, if not even stern. This was so much the case that when he first came into our community—before he had reached his majority—his opinions and convictions were as firmly settled as those of most men at thirty, and he was ever ready to give a reason for his faith; this fact was remarked by all of his acquaintance here. He was not a professor of religion, but a regular attendant at church service, and always manifested the highest respect for ministers of the Gospel and those who claimed to be Christians. He had a fixed religious as well as political creed, and whoever attacked either of these in his presence had a bold and well-armed opponent. In person he was remarkably handsome; of much vivacity of temperament, affable in manner, and consequently popular; but extremely sensitive to opposition or ridicule, and an insult he would not brook even at the risk of mortal issue. In the school-room he exercised strict, perhaps I should say stern discipline; but he was often on the playground with the boys, and took part in their sports, and his pupils loved him. He had a high reputation as a teacher."

In the latter part of August, 1840, he left Snow Hill and returned to his home in New Lisbon. After spending some time with his relatives and friends, he re-entered college, becoming a member of the Senior class. At that time there were in Jefferson College two Literary Societies — the Franklin and the Philo, and it was customary every spring to have a contest between them in debate, composition, and declamation. Each Society in the fall, or early in the winter, would choose its best debater, composer, and speaker, and at the close of the winter session in March, these *contestors*, as they were called, would appear before the public and exhibit their performances, and a committee of gentlemen previously selected would decide upon their merits. Immediately after his return to college, Mr. Vallandigham was unanimously elected debater for his Society.

It was about this time that he drew up certain "Rules for Moral Culture." Whether they are original or selected we do not know, but present them just as we find them in his handwriting. They were evidently intended for his own guidance.

#### RULES FOR MORAL CULTURE.

1. Live in habitual communion with God.
2. Cultivate a grateful spirit.
3. Cultivate a cheerful spirit.
4. Cultivate an affectionate spirit.
5. Let not the attainment of happiness be your direct object.
6. Cultivate decision of character. *Moral courage*: Independence.

#### *Duty to our Neighbor.*

1. Be honest. 2. Be generous. 3. Be open-hearted. 4. Be polite (anecdote of the drover). 5. Be a good neighbor.

#### *Claims of Society.*

#### *Requisites to meet them.*

1. A serious consideration of duties and prospects before us.
2. Intelligence. 3. Upright and virtuous character. 4. Public spirit.
5. Personal religion.



*Motives to urge a preparation to meet these claims.*

1. The qualifications demanded are within your power. The claims
2. Are fixed upon you. 3. The value of the interests soon to be committed to you.

*Avoid*

1. The beginnings of evil. 2. Skepticism and infidelity.
1. Have an object in view: *Aim high.*
2. Remember the Sabbath day to keep it holy.

*False Principles.*

1. Of honor. 2. Of pleasure. 3. Of love of money. 4. Love of applause (in extreme). 5. Cunning: Non-committalism. 6. Customary, *ergo* right.

*Fundamental Rule.**Principle of unyielding rectitude.**Why to be regarded.*

1. Demanded of God. 2. Of invariable and universal application.
3. Of very easy application: Costs no study. 4. It *commands* respect.
5. The best policy.

*Formation of Character.*

1. Form a picture of what it ought to be.
2. Make the picture a reality.
3. Character to be formed in early life.
4. *Alta petens: aliquid immensum infinitumque.*
5. Associate with the virtuous and excellent.

*Character is power — is influence.*

CLEMT. L. VALLANDIGHAM,

Jan. 10, 1841.

Jefferson College.

Whether these "Rules" be original or selected, or partly the one and partly the other, it is certainly remarkable that they should have been adopted as the guide of his conduct by one so young; and it is still more remarkable that they should have been so strictly adhered to — that amid all the trials and temptations of his eventful career they should have been so strictly obeyed — so closely followed during the whole of his life.

In the latter part of January, 1841, he had a difficulty with Dr. Brown, the President of the College. The Doctor was an able President and an excellent man, but he had his faults. He was very positive in his opinions, and impatient of any dissent therefrom; and he was often hasty and impetuous, and would say and do things which he would afterwards exceedingly regret. He was, however, magnanimous, and as soon as conscious of having done a wrong he would confess it, and ask pardon of even the humblest student. The quarrel between him and young Vallandigham originated in a recitation on Constitutional law. The latter advanced certain political opinions to which the Doctor objected, and which he endeavored to refute. Vallandigham replied respectfully, but at the same time firmly and decidedly. The Doctor, incensed at the assurance and pertinacity with which he defended his opinions, made use of language violent and insulting. This Vallandigham would not brook, and immediately demanded an honorable dismissal. The Doctor promptly gave it to him, and he returned to the old homestead, where his eldest brother was then living, and with him commenced the study of law.

In March, though no longer connected with the College, he went back to perform his part in the contest, and made a very able debate; but the decision was against him. The question was one that involved the doctrine of State rights, and these rights he maintained and defended to the fullest extent, and with the utmost boldness and earnestness; and it is not improbable that prejudice against these doctrines on the part of the judges, though insensible to themselves, was the cause of the adverse decision — a decision which certainly created great dissatisfaction. This defeat, though no doubt keenly felt by

Mr. Vallandigham, exercised no permanent influence on his character or conduct. He still adhered to his political sentiments, and he still resolved by energy, industry and perseverance to seek and secure position and eminence in the future.

The following, originally published in the *St. Paul Press*, is from the pen of the Rev. F. T. Brown, D. D., an intimate college friend of Mr. Vallandigham :—

“The Freshman year of my college course was spent at Jefferson College, Pennsylvania, and soon after I entered there returned there a young man who had left at the close of his Junior year, two years before, and had been spending the intervening time in Maryland, teaching, to replenish his rather scanty purse. He now re-entered as a Senior to finish his course. His coming excited unusual interest, for he was considered one of the most promising men the College had ever had in training, and was the ‘bright particular star’ of his society—the Franklin. This was Clement L. Vallandigham : a slender, hawk-nosed, eagle-eyed, handsome young fellow. He took a room next to mine in a small boarding-house where I was lodged (‘Aunt Polly Paxton’s,’ well-known to all old Jefferson boys), and we soon became intimate friends, though he was a Senior and I a Freshman, and though he was a Franklin and I a Philo—both contrary to established college customs. Our attachment was very strong ; at least I loved him warmly. There was something very winning in him ; he was handsome, gentlemanly, high-spirited, and genial, but quite dignified and a little reserved ; he had few intimate friends, and I never knew him to engage in any of the College sports. He was a close student and stood high in his class, but his greatest reputation was as a Society debater, in which he was thought to have no equal in College. His morals even then were so pure, and his life every way was so exemplary, that many wondered that the son of ‘old parson Vallandigham’ was not a member of the church. I was proud of his friendship, and in my personal attachment for him became almost disloyal to the Society to which I belonged. I was not conscious of this till the annual contest was coming off between the two Societies (exciting in that college more interest than the

exercises of Commencement), when I found that, though a Philo, my sympathies were strongest for the success of my friend 'Clem.,' who was one of the contestants. His Society chose him by acclamation as their debater. His competitor was a Mr. Mercur, now the Hon. Ulysses Mercur, M. C. from Pennsylvania. The question discussed has always seemed to me to have been prophetic of C. L. V.'s future political course. It was, in substance (I have forgotten the precise phraseology): 'Is the tendency of the genius of the Government of the United States toward a centralisation of power in the general Government, or in the individual States?' Vallandigham took the side of the individual States, and under that banner he fought to the end of his life. Of the merits of the debate I know nothing. I thought at the time that my friend should have had the 'honor,' but the three distinguished judges (Judge McCandless, of Pittsburgh, was, I think, one of them) thought otherwise, and gave it to Mr. Mercur. Clem. bore his defeat like a man, and went home to his brother's house at New Lisbon, Ohio, to study law."

The following recollections are from the pen of the Hon. Sherrard Clemens, who was an intimate friend of Mr. Vallandigham in college and after-life, and who served with him as a member of Congress:

"I became acquainted with Clement Laird Vallandigham, some time about the year 1837, at Jefferson College, Washington County, Pennsylvania, then under the Presidency of the Rev. Mathew Brown. We were members of the same literary society, and my attention was first drawn towards him by the remarkable powers which he evinced in debate. We boarded near together, and our intimacy soon matured into warm friendship. His mother and my mother we found to be old acquaintances, and this ripened the association. He was a close student; remarkably exemplary in his morals; of great energy of purpose and determination of character; and of an ambition which mated with the stars. His standing in his class was excellent, and his mind of the first order. It was very easy to see, even at that early period, that he was destined to reach a high eminence in whatever profession he embraced; and his

standing among his fellows was that of an unquestioned leader. His manners were open, genial and kind. He had a hand open as day to melting charity. He was full of spirit and a love of innocent amusement, and from all these combined qualities was deservedly popular among all the students. Accordingly, when the annual contest took place between the literary societies, he was selected the champion of our Society. His opponent was Ulysses Mercur, formerly a judge, and lately if not now a member of Congress in the Lower House, from the Erie District in Pennsylvania. The award of the judges in the contest, in favor of Mercur against Vallandigham, gave great dissatisfaction, and to no one more than myself. Vallandigham was deeply chagrined and disappointed. He had set his heart upon a triumph, and had invoked universal good-will among his fellow-students; and when the announcement was made that he had lost the debate, we had a *quasi* rebellion.

“His whole career at college was a career of labor and thought. He rarely sought outside relaxation, except in long walks in the mornings and evenings; and then his mind was intent upon some subject of moment, or something pertaining to his course of study. He was but a moderate eater, and I do not remember that I ever saw him, while at college, take a single glass of liquor. While other students had their convivialities, he did not, so far as I ever knew, join them. He seemed to be arrayed in armor and have his visor well down, prepared for the conflict of life, which he saw was not far off.

“At this time there was a large number of Southern students, liberally provided by their parents with money, and who frequently went on sprees to Pittsburg, Washington, and Wheeling. These I never knew him to join. They often gave oyster and other suppers, where wine flowed freely. These I never knew him to take part in. He was sensitive and proud, and he told me he would partake of no hospitality which he could not return, and that he could not afford the means to do it. He therefore kept aloof, and passed his time much more profitably, carrying out his fixed determination to allow nothing to interfere with his own elevation in life. His ambition was early developed, and was with him an intense passion. He felt everything depended upon him, and therefore upon himself he lavished whatever of skill, labor, or art he could command. In this he never appeared to relax. He seemed to look forward,

as with the eye of a seer, to the position he afterwards occupied in the country.

"In his own way he was fond of diversion and play, and his tastes were as simple and innocent as those of a child. In his close devotion to study this mental relaxation was of great service ; for he attempted a system of close dietetic treatment, under the plea that it would leave his mind the freer to act, and for a time he fell off considerably in flesh ; but I argued and ridiculed him out of this, and the exercise he took soon restored all the weight he had lost.

"Perhaps it was from my close and peculiar association with him, but I regarded him as by far the brightest intellect at College. He presented strong characteristics of his future career ; and I predicted for him then, early and extensive eminence. That 'the child is father of the man' is in his case most conclusively proved, for I know of no students who were college-mates of his who have attained to the positions and who have shown the same capacity to grapple successfully with the world as he has done. He was in some respects eccentric, self-willed and impatient of restraint ; and in anything he took very much at heart, he was reckless of opposition. This trait was early developed, and I soon saw he was one of those persons who could be persuaded with a hair but who could not be dragged with a log-chain. This trait became conspicuous in his contest with the Administration during the Civil War, in his exile and his return. His passions were high, honorable, warm, and often impulsive. A soft word would win him when hooks of steel could not drag him to any object he did not approve. His devotion to his mother was beautiful. She was the ocean to the river of his thoughts. The evidence of careful religious training was in all his acts.

"He was prudent in expenditure, moderate in his wants, and entirely free from the small vices which so easily beset a youth at the outset of his career. Without apparently seeking popularity, he commanded it among the very class of his associates who were utterly different from him in taste, manners and habits. He walked among them preserving his own self-respect, and yet with an attitude of conscious superiority. He was a fine classical scholar, and delighted in helping out his less favored or less studious companions in their translations. I have known him to devote much time to this benevolent

work, to enable those to appear at class who had passed nights of revelry and dissipation instead of devoting them to their books. In this particular he was an unfailing source of relief; and 'old Clem,' as he was popularly termed, never faltered in it. The tribute thus paid to him was an almost unconscious compliment not only to his innate good-nature, but to his well-grounded scholarship. He did not act upon the philosophy of Dean Swift's couplet —

“ ‘The lower you sink  
The higher I aspire’ —

but he seemed desirous to lift them up to his own level, to supply their deficiencies, and to put them on the path of success. This outcropping of good-nature bore its fruits. He was a favorite among those who generally seek their intimates among those of like passions and frailties; and when the selection of a contestant in debate came, and each one desired the strongest man, they were among his firmest and most enthusiastic supporters. He had the faculty of making strong friends. He was exacting in his love, as in his hate. He was what Dr. Johnson termed a good hater. Capable of making any sacrifice for his friends, he expected to find the same spirit in return. This resulted from the very energy of his character, which was wonderful. Undaunted by obstacles, courageous in the midst of difficulties and dangers, unappalled by disaster, he went right on to the accomplishment of an object in a mind somewhat akin to that in Addison's Cato —

“ ‘Tis not in mortals to command success:  
We'll do more — we will *deserve* it.’

It was this consciousness of enduring power that sustained and upheld him amidst every discouragement. Sometimes he was unusually despondent — self-poised, and his soul like a star dwelt apart. But it seemed like his retirement into the darkness of a cave, the better to enable him to appreciate the light and warmth of day.

“ ‘Yet when all our soul is weary  
Of life's turmoil, pain and whirl,  
And we strive to rend the curtain,  
Lo! we beat 'gainst walls of pearl!  
We have missed the crystal doorway,

Or the keys celestial fail,  
While we wait without impatience  
For the lifting of the veil.  
When we pine with restless longing  
Some long vanished form to view,  
Seems this veil a luminous ether,  
Saintly faces beaming through;  
And we almost catch the whisper,  
Soft as sigh of summer's gale,  
Almost see the beckoning finger  
At the lifting of the veil.

“Whatever his own discouragements or disappointments may have been, although he indulged in seasons of unusual sadness, there was never a tone of unmanly complaint about him; there seemed to run through his whole composition that Calvinistic faith which bears the cross as a type and symbol of regeneration and power. To be, to do, and to suffer seemed the destiny of humanity; and however dark the clouds may have been over his own soul, they were curtained away at last, and there stood out the eternal cerulean blue of the firmament studded with myriads of stars.

“This type of disposition seems to be common to all sturdy, passionate natures; at all events it was true of him at the period in question. As his dejection was sometimes complete, so his mirth was all-abounding and contagious. It was the contrast of the sparkle of the fireworks as they go up and the dark blackened stick as it comes down. At such time there was an infinite sweetness and *bonhomie* about him. To adopt the words of Emerson, ‘there seemed to be a pool of honey about his heart which lubricated all his speech and filled all his actions with fine jets of the sweetest mead.’ Every act of struggling is in itself a species of enjoyment; every hope that crosses the mind, every high resolve, every generous sentiment, every lofty aspiration, nay, every brave despair, is at last a gleam of happiness that flings its illumination upon the darkest destiny. All these are as essentially a portion of human life as the palpable events that serve as landmarks of its history, and all these we have to compute before we can fairly judge of the prevailing character of any man.”

We have already narrated the circumstances that led to Mr. Vallandigham's withdrawal from College within a few months



of his graduation. It is proper that we should here state that Dr. Brown soon regretted the temper he had exhibited and the words he had unadvisedly spoken which led to this withdrawal; but there seemed no way then to rectify the error, as it was well understood that Mr. Vallandigham would not, under any circumstances, return to College.

Some years after, however, Dr. Brown wrote a letter explanatory and apologetic, offering Mr. Vallandigham his diploma, on the single condition that he should apply for it to the Faculty of the College. This he refused to do and so never received his diploma.

## CHAPTER IV.

### ENTRANCE ON POLITICAL AND PROFESSIONAL CAREER.

MR. VALLANDIGHAM commenced the study of politics when only sixteen years old, but did not become an active politician till four years later. In the fall of 1840 he made his first political speech. It was at a Democratic meeting in Calcutta, in the southern part of his native county. He was then rather tall, but slender, beardless, boyish in appearance, but with the voice and bearing of a man. He spoke for an hour with an ease and an energy that astonished the sturdy farmers and mechanics that had assembled to hear the youthful orator. Their admiration was unbounded, and as soon as he had finished they bore him off in triumph on their shoulders, and from that time he was one of the leading speakers of his party in the county.

Another of his youthful efforts was at New Middletown, in the northern part of the county, and to it he thus refers in a speech made at the same place, August 9, 1867 :—

“I have been asked, why select a village so comparatively obscure—and I hope no offence will be taken when I speak of it as such—and so far from the railroads which have sprung up in the country since the olden time? There are two reasons; and the first reason is, it was glorious old Springfield township that, when I was a boy, saved the Democratic Congressman in the district, and the Democratic county to which it then

belonged, in the memorable campaign of 1840. Without detailing circumstances which I have elsewhere related, permit me to say that, confident of victory, the *boy* had remained out late to hear the returns. Every township came in with a Whig majority, and we had begun to despair. At about 1 o'clock the Democratic party was beaten, and we all felt badly. At about 4 o'clock, however, we heard the tramp of horses' hoofs down the hill from New Lisbon, and behold! old Springfield township had not only held its own, but had given a hundred more of a Democratic majority than ever before, or at any time since, which elected our Congressman by fifty-two votes, and saved Columbiana County, to which it then belonged, to the Democratic party for many years after. That is to me a very pleasant recollection, and it was one of the reasons why I accepted your invitation. Very pleasant too is the recollection that here, in New Middletown, I made one of my first efforts at public speaking. I shall not soon forget that, when 'a youth to fortune and to fame unknown,' nevertheless ready and willing to do my part and bear my share of the burden in the great campaign between Clay and Polk in 1844, I found myself announced at the tail end of a hand-bill in very small letters as one of the speakers. The 'lions' were all in large type, as was becoming; but it was expected in those days that young men would stand back and wait until near the going down of the sun. The seniors spoke long and loud and eloquently, until in my youthful jealousy, natural as it was, I thought they meant to speak me out of time. The shadows were falling long from these tall trees when at last all the other speakers concluded and the audience were about to disperse, but some there were who resolved to stay and hear the *boy*. I came to the platform as many of the wagons were going away; still I had reason to be satisfied if a few were content to stay, and it creates a sense of triumph even to this day to remember that many gathered in their teams as soon as I had commenced, and the crowd was larger in the evening than it had been during the entire day."

It was customary in those days for the Whig and the Democratic speakers to meet at various places in the county and discuss before the people the points at issue between the

parties. In these debates young Vallandigham participated. At first, the Whig orators, who were generally middle-aged men—some of them gray-headed—were disposed to sneer at the “beardless boy,” as they called him; but the spirit with which he replied to their personalities, and the severity and fearless energy with which he repelled their assaults, speedily put an end to this. The knowledge which he displayed on the subjects at issue, his fluency in debate, and his manly courage, commanded their respect, and the ablest of them all soon felt that in encountering the youthful speaker he met “a foeman worthy of his steel.”

It was during this period that he had a rencounter on the streets of New Lisbon that is perhaps worthy of mention. The night before the election he had addressed a meeting in one of the neighboring villages, and in the course of his speech made a playful allusion to Mr. G., a prominent Whig of New Lisbon. The account of it was borne that same night to Mr. G., no doubt greatly exaggerated, for there was in reality no just ground of offence in the remark that was made. Mr. G., however, was incensed, and determined to inflict personal chastisement; and arming himself with a heavy cane, as Mr. Vallandigham passed by his door next morning he violently assaulted him. The blow was aimed at his head, but Mr. Vallandigham parried it with his hand, wrested the cane from the grasp of his assailant, and with it instantly felled him to the pavement. Mr. G. was carried into the house bleeding and insensible. In the meantime a crowd had assembled. Mr. Vallandigham's friends led him away (a mob following with clubs and stones) to the house of Mr. B., who, though a political opponent, was a personal friend. There the wound he had re-

ceived — a very slight one — was dressed, and he remained for some time, the crowd outside clamoring for vengeance. Learning however that he was needed at his office, he prepared to leave. His friends, especially the ladies in the house, urged him to pass through the back door and down a back street, for fear of personal violence. This he refused to do: he was born, he said, and had been raised in New Lisbon, and no man and no combination of men should prevent him at any time or under any circumstances from freely walking its streets. He accordingly went out in front, walked down Walnut street to his office, his friends congratulating him on the way, and his enemies keeping at a respectful distance. The effect of this was most salutary. His enemies learned that he had the courage and the skill and the ability to defend himself, and he was never afterwards molested.

The first law-case in which he was engaged, and his first speech to a jury, was when he was still a student of law, not yet admitted to the Bar. His client on that occasion was an honest old Quaker who had been grossly cheated in a horse-trade by a cunning and unscrupulous horse-jockey. It was said by a distinguished lawyer many years ago that there never was a horse-trade without cheating and lying by one or the other party to the transaction, or by both; and indeed this seems to be true, for the writer has known men who appeared to be conscientious and to have a regard for veracity in everything else except the negotiations pertaining to a trade of horses. Some student of psychology should investigate this peculiarity of the human mind: we have not time to enlarge upon it now, nor even to suggest a theory to account for it.

The case was tried in Salem, Columbiana County. There was great interest manifested by the neighborhood; and the

Justice, finding his office entirely too small, adjourned to a large carpenter-shop hastily fitted up for the occasion. The shop was soon filled with an audience anxious to listen to the case, and who remained till after midnight to see the close. The horse-jockey was defended by a lawyer of age and experience, who was unsparing in his exertions and fought every inch of ground. The whole day was spent in the examination of witnesses, and it was late in the night before the argument was commenced. The speech made by the beardless youth Vallandigham astonished every one present. He spoke for nearly an hour with the greatest force and earnestness. His remarks in regard to the defendant and denunciations of his dishonesty were so severe that, burning with wrath, he arose in his place and threatened a severe castigation unless the boy (Mr. V.) would desist, upon which young Vallandigham defied him in the fiercest manner, and administered such a rebuke to the bullying jockey that the latter was glad to get away from the sound of his voice. This trial, though the amount involved was small, was long remembered in the neighborhood; and the effort of Mr. Vallandigham, young and inexperienced as he then was, produced a deep and profound impression.

As a student of law he was diligent and attentive, devoting much time also to general reading and literary culture, and taking an active part in politics. On the 5th day of December, 1842, at Columbus, he was admitted to practice in the Supreme and other courts of the State. On his return home he became a partner of his eldest brother, who was then practising law in New Lisbon. This brother in the course of a year left the bar and entered the ministry, and he continued the practice

alone. The following notice of his first speech after admission to the bar, we find in the Cincinnati *Enquirer*:—

“A friend of ours in the *Enquirer* office remembers hearing Mr. Vallandigham deliver his first address at the bar. Judge Belden, Mr. Upham, and other distinguished lawyers who were present, characterised it as the most brilliant effort they had ever listened to. It was in New Lisbon, Columbiana County, and all the bystanders were struck with a promise of greatness which the future so wonderfully realised.”

Mr. Vallandigham entered upon the practice of his profession with his accustomed energy and prosecuted it with characteristic diligence, and so great was his success that in four years his practice was equal to that of the oldest and ablest member of the New Lisbon bar. Yet he gave a large portion of his time to politics. He thoroughly studied the science, and took a prominent and active part in every political campaign. Indeed he greatly preferred politics to law; and had he been successful in his political aspirations, it is probable that ultimately he would have abandoned the practice of law altogether.

In August, 1843, he placed on record in his note-book the following

#### “FIXED RULES

“Of political conduct to guide me as a statesman, in no instance and under no circumstances to be relaxed or violated, and this by the blessing of Almighty God.

“1. Always to pursue what is honest, right and just, though adverse to the apparent and present interests of the country, well assured that what is not right can not in the long run be expedient.

“2. Always to prefer my country and the whole country before any and all considerations of mere party.

"3. In all things coolly to ascertain and with stern independence to pursue the dictates of my judgment and my conscience, regardless of the consequences to party or self.

"4. As far as consistent with the national honor and safety, and with justice to the country, to seek peace with all nations, and to pursue it, persuaded that a p acific policy is the true wisdom of a State, and war its folly; yet as resolved to demand nothing but what is right, so to submit to nothing wrong.

"5. Sedulously at all times and in every place to calm and harmonise the conflicting interests and sectional jealousies of the different divisions of the Republic, and especially of the North and South; and with steady perseverance, under all circumstances, to uphold and cement the union of the States as the 'palladium of our political safety and prosperity,' except at the sacrifice of the just constitutional liberties and inalienable rights of oppressed minorities.

"6. Without infringing the rights of conscience, always to countenance and support religion, morality, and education, as essential to the well-being of a free government; and in all things to acknowledge the superintending providence of an All-Wise, Most Just, and Beneficent God in the affairs of the Republic."

With these fixed rules of political conduct he commenced his active and eventful career. The tenacity with which he adhered to them, and the consequences of this rigid adherence, will be seen in the pages that follow.



## CHAPTER V.

### IN THE LEGISLATURE OF OHIO.

IN the summer of 1845, Mr. Vallandigham was unanimously nominated by the Democratic party of his native county as one of their candidates for Representative in the State Legislature; and in October of the same year, having just attained the constitutional age, was elected without opposition. The Legislature met on the first day of December, 1845, and he took his seat, the youngest member of the body. Previous to leaving home he laid down the following "Rules" for his conduct as a legislator:—

"1. To avoid interfering in merely local matters, unless they involve a grave *general* principle.

"2. To avoid with persevering resolution all connection or mingling with the petty factions or personal jealousies and quarrels of political friends, and of foes also; if *necessary* to act in any way in them, to do it as an 'armed neutral,' manifesting at the same time that I act as a patriot, from a sense of duty, and not from feeling as a partisan.

"3. To speak but rarely, and *never* without having made myself complete and thorough master of the subject; so that when I rise, every one may expect to hear something worth listening to. No error is more fatal to influence in a deliberative assembly than the violation of this plain rule: 'Verily, ye are not heard for your much speaking.'

"4. Always to bear in mind the dignity and responsibility of my station, remembering that, by the favor of my fellow-citizens, I am a part of the Government, and that human government is the vicegerency of Heaven, and the highest exertion of human power."

Mr. Vallandigham's first effort was made on the 8th of December, upon a motion to print the reports of the Benevolent Institutions of the State. The following is an extract:—

“If there be any one thing more than another to which the citizens of Ohio may point with proud and generous exultation, it is to her public asylums, to her common schools, to her State prison, by which she has acquired so lofty and honorable a pre-eminence among her sisters of the confederacy. Not the soil of Ohio, not her climate, not the extent of her territory, nor the multiplied variety of her productions; not even the majestic river which washes her base; not the multitude of her teeming population, nor her wealth, nor her resources, nor her rapid growth, unparalleled in the history of States, challenging the wonder of the world, and realising the magic creations of the lamp in Oriental fable; not anything in her whole history and character has contributed one half so much to elicit the eulogy and admiration of the intelligent and enlightened of Europe and America, as the asylums and other public institutions which the generous benevolence of the people of Ohio has consecrated to the relief and solace of those whom, otherwise, the misfortune of birth or the accidents of life must have consigned to hopeless despair. For my own part, Sir, I never turn my eyes or direct my thoughts toward these buildings—these living monuments of a lofty and sublime charity—and to our common schools, without the warm feelings of a heart—patriotic, I trust—swelling unconsciously in my bosom, and breaking from my lips, though in solitude, in audible accents, ‘I am a citizen of Ohio.’

“Mr. Speaker, I do not mean, upon this or upon any occasion, to indulge on this floor in mere school-boy declamation. I desire, now and always, to speak in language becoming the representative in part of this great people. But be assured—be assured—that these are the institutions which constitute the true glory and greatness of a State. Be assured, that when banks and tariffs, and all other fleeting topics of the day we live in shall have descended to the oblivion which awaits them alike; when your senate chambers, your halls of justice, and your monuments shall have bowed themselves to the dust; when you and I, Mr. Speaker, shall ‘sleep in dull, cold marble;’ nay, when, after the lapse of some centuries, this Union

shall have been dissolved, our political institutions decayed, their vital spirit yielded up, our greatness all gone, and even our language ceased to fall from living lips, be assured, Sir, that the future historian of Ohio, writing her history in a tongue as yet unformed, will record as foremost and proudest among her glories these very institutions which, with great humbleness, yet in all singleness of heart, I have thus eulogised."

This subject was selected by him purposely, because it did not involve party feeling, and the speech was extremely well received by members of both parties. In the editorial correspondence of the Lancaster (Ohio) *Eagle* it was thus noticed:—

"The youngest Democratic member in the House, Mr. Vallandigham, made his debüt to-day, on a resolution to print documents. It was a brilliant effort, and produced an electric effect upon the House. He is a splendid young man."

On the first day of the session he had been appointed a member of the Committee on Privileges and Elections, and on the 9th submitted a carefully prepared report upon the question of the eligibility of officers of the State Bank to a seat in the Legislature, maintaining, in opposition to a majority of his party, that they were not constitutionally disqualified. Soon after, on the 18th, from the minority of the committee, he made a very elaborate report upon the question of "Legislative Districts," in the Morgan County contested election. The report attracted great attention in the House and throughout the State. Hon. Samson Mason, a distinguished Whig, who, as chairman of the committee, had submitted the report of the majority, said, in debate, that "the report of the minority was an able one, and highly creditable to the talents of the gentleman who had made it." And Mr. C. C. Hazewell, then editor of the *Ohio Statesman*, speaking of it, said, "Columbiana County may

well be proud of her young member, who has already achieved for himself an enviable name as a debater for skill and fairness, and as a writer at once powerful and dignified. He is one, also, who does not think it necessary to disgrace great talents by buffoonery and immorality in order to achieve a sudden notoriety."

On the 30th, Mr. Vallandigham spoke briefly in favor of the bill to repeal the Ohio State Bank Act, referring in calm and determined language to his confidence in the power of truth and his readiness to wait patiently and even long till she should be vindicated. A single paragraph we quote, for the purpose of illustrating the fact that even at that early period he was characterised by the same open and bold avowal of his sentiments, even though unpopular, that so greatly distinguished him in after life :—"The gentleman from Shelby [Mr. Thomas], and his friends with him, are fully welcome to the entire benefit of anything which may have fallen from me. I have never sought concealment, either upon this question or upon any other. I am not afraid of the truth ; I dare speak it openly. It may be unpopular, it may be in advance of the age ; it is none the less truth, and I am not, therefore, the more afraid to proclaim it."

He continued to take an active part in all important debates, carefully observing the rules which he had laid down for himself, and on the 11th of February, 1846, in a speech which was most flatteringly received, defended the sanctity of cemeteries and other places of human sepulture. From that speech we take the following beautiful extract :

"This bill, Sir, merits a different treatment at the hands of honorable gentlemen. The feelings in which it originates are

implanted in us by Nature herself, and it is vain for us to undertake to disregard them. They have been recognised, honored and obeyed in all ages, because they spring up from the human heart in its purest state. There is no man, however humble his condition or whatever his religious belief, who does not attach some sanctity to the dead, and desires that after his life shall have terminated some tribute of respect be paid to his remains. This is an aspiration, an impulse so natural, that no degradation, be it ever so low, can obliterate it from our hearts. Even the most friendless and forsaken, dying alone, a stranger in a strange land, without a friend to perform in his dying moments the last sad offices of affection, desires that his body at least be suffered quietly and decently to rest in its grave. And this is a feeling which has dominion much more over the friends and relatives of the dead, where the dead have been so fortunate as to have left relatives and friends behind them. It is this self-same feeling which in all times has reared the splendid mausoleum of the king, and planted the simple rose-bush over the humble grave of the peasant. There is no nation, however barbarous, but has some funereal monuments; and the rites and the sanctity of sepulture are among all, no matter what their religion, held in the highest regard. The Mussulmans have their cemeteries, spacious and costly, and called beautifully and expressively in their language, 'Cities of Silence.' Even the simple Indian savages of our continent have their memorials, rude indeed, but still memorials of the burying-places of their fathers. All this springs from our innate feeling of veneration and care for the dead, for those who have passed into that 'undiscovered country from whose bourne no traveller returns'—a feeling founded in the consciousness we all possess of the immortality of the soul. But whether the soul be immortal, or suffer annihilation at death, there exists, and has existed in all times and among all men, an instinctive desire that the body be cared for and guarded, even though it be no longer any more than cold, unanimated clay, resolved again to its original elements. And even the place of one's burial has in every age been a matter of anxious solicitude with the dying. Who that is familiar with that earliest and best of books, coming down to us hallowed by every sanction of antiquity, full of the simple narrative of the patriarchal ages and fresh with the spirit of a newly-created world, but remembers that the first purchase of land

upon record was of the cave of Machpelah for a burying-place, where Abraham was buried, and Sarah his wife? Who has not read the last dying aspiration of another of the Hebrew patriarchs, who, calling his chosen son to his side, prayed him with the simple pathos of expiring old age, 'Deal kindly and truly with me; bury me not in Egypt, I pray thee; *but I will lie with my fathers*; and thou shalt carry me out of Egypt.' And who does not know how religiously the injunction was obeyed; and that four hundred years afterward the bones of the son, also, were carried up from the land where first buried, and deposited in the sepulchre of the patriarchs. Sir, it is vain to war against these feelings. Nature will assert her mastery. They are too deeply implanted and too universal to be despised in American legislation. Even in those countries where the dead were burned, the ashes were preserved and handed down in costly urns, as a sacred legacy to their children. And superstition lent its aid to enforce the rites of burial, and to secure the sanctity of the grave. The souls of those whose bodies remained unburied were fabled in the mythology of the ancients, to wander a hundred weary years to and fro upon the banks of the river beyond which lay the Elysian fields, before it was permitted to them to pass over; and the prayer of the wandering spirit of the shipwrecked philosopher was that a few handfuls of dust might be cast—'*ter pulvere injecto*'—even by the hand of a stranger, upon his uncovered remains. The last degree of inhumanity, punished according to their notions of future punishment with the hottest torments of the damned, was for a victorious general to refuse to his vanquished enemy the privilege of burying their dead. The very religion of the ancients forbade the dissection of human corpses; and such dissection was first practised not many centuries ago. Sir, these are feelings which must be respected, no matter, I repeat, whether the soul be mortal or immortal. But if immortal—and who so besotted as to doubt it?—how much more ought the frail tenement in which it has been inclosed, and upon which it may be that it now looks down in wistful solicitude, be guarded with the most scrupulous veneration. No matter, either, whether death be an eternal sleep, as some vainly and blasphemously hold, or no more than a temporary slumber till

"'Wrapt in fire the realms of ether glow,  
And Heaven's last thunder shakes the earth below.'

“But much more, even for the sake of the dead, ought protection, and the protection of law, to be extended to their bodies, if, as the Scriptures of truth teach, there is to come a day when that great and tremendous Being who inhabits eternity shall judge both the quick and the dead—when this corruption shall put on incorruption, and this mortal immortality, and death be swallowed up in victory. He, then, who holds to the faith of the Christian religion, ought the more readily and sacredly to respect the sanctuary of the tomb. It is hard enough surely, Mr. Speaker, to bear the lengthened and wearisome ills of life without being denied even the cold repose of an undisturbed grave. There is anguish enough in passing down into the dark valley of the shadow of death without the superadded torment of the anticipated violation and dissection of our bodies. Shall the weary never be at rest? I appeal to honorable gentlemen; I demand of you each one, what would be your own feelings under such an anticipation? But if you care not for yourself, what emotions would stir your bosom under the knowledge that the body of the cherished wife of your youth, or of the favorite child of your old age, had been torn from the grave over which you had just bowed in sorrow your stricken soul, watering it with your tears, to be subjected to the merciless process of dissecting by the knife of the faculty, though done with never so much science?

“I am aware, Mr. Speaker, that the feelings of which I have just spoken do not touch the pocket. I know that they do not smack of money, and can not be coined into gold. They do not find exercise in the digging of a canal, nor in the constructing of a railroad, nor in the establishing of a bank. No; they spring up and hang only as simple flowers over the pure fountains of the human heart. I know, too, the tendency of the age to grossness and sensualism; to laugh at the mere emotions of our nature, and to centre all the care and protection of private association and public government upon property. But these, Sir, I repeat yet again, are not feelings to be despised. You protect against slander; yet the sense of reputation is no more than a mere emotion. Sir, the protection of property is not the sole business of government; nor is the protection of life. The ‘pursuit of happiness’ also, in whatever form, is equally an object of governmental care, so far as such care ought to be extended to any object.”

On the 24th of the same month he made an elaborate speech against the Tax Bill, in which he thus indignantly repels the charge made against the Democratic party of designing to repudiate the State debt:—

“The debt is upon us, and it must be paid, paid to the uttermost farthing. The spectre must be exorcised, this devil must be cast out. There is no alternative between payment and repudiation. And who will hesitate? Democrats, the Democrats of Ohio the advocates of repudiation! Sir, I hurl back the slander with indignation. We are a debt-paying, a contract-abiding party. We will not stop to inquire by whom or for what this great debt was accumulated. It is enough to know that it is upon us. Though it were the most improvident that ever hung upon a nation, yet shall it be paid — paid, I repeat, to the uttermost farthing.”

In the same speech he drew the character of the “True Statesman,” as he conceived it; and as it was the ideal of that at which he constantly aimed himself, we present it entire:—

“Politics is a science broader in its extent, as fixed yet more liberal in its principles, more profound and more diversified in its objects, as intricate in its nature, more penetrating and controlling in its effects, wider far in its influence on the happiness of mankind — which is the great end of life — and nobler every way than all other human sciences put together. It is a science the province of which is to carry out, through the agency of man, the designs of the Deity himself. To comprehend such a science in its fullest extent is the labor of a life-time, and the business only of a STATESMAN. But by this lofty title I do not mean, in its present degraded acceptance, a miserable partisan, without talents, without character, full of the accumulated vices and deformities which make up the mere vulgar demagogue, a compound of all vileness, the embodiment of everything despicable; whose very candor is hypocrisy, whose reason is prejudice, whose party is his god; whose atom-intellect is exhausted in low intrigue, and his whole research in long-buried falsehoods, to be refined and



tortured and galvanised into fresh-born calumnies ; or worse, prying with the instinct of a still lower and baser meanness into the sanctuary of private life and bed-chamber arrangement. I mean no such detestable character ; nor yet one who has merely filled some legislative station with honor to himself and benefit to his immediate constituents. No : I mean a STATESMAN, in the broadest, highest, most comprehensive sense — ‘ a mind to comprehend the universe ’ — bold, sublime, original ; from whose all-powerful grasp nothing can escape, to whose piercing gaze nothing is dark, nothing intricate, all clear and plain and luminous as the sun in the firmament ; for whose mighty compass immensity itself is scarce too great ; a mind inductive, philosophical, inventive, able to originate the mightiest and most extensive plans of national policy, not for a day, but for ages ; capable of the loftiest designs, the boldest conceptions, the noblest thoughts ; a mind that can take in at a single glance the whole compass of State affairs, yet at the same moment examine each separately without confusion, analysing, comparing, arranging, and harmonising all into one concordant whole ; a mind sagacious, unerring, almost divine ; a mind that can range at will over all cognate subjects, can glance with the rapidity of thought through the dark vista of the past thousands of years, and in a moment restraining its flight, pierce with eagle gaze into the hidden recesses of the future, ‘ casting the nativity of unborn time,’ providing against the storm before it has burst, treasuring up the accumulated wisdom of ages, and applying it to the exigencies of the present. A mind thus naturally gifted must have been developed by years of laborious reading, observation, and study ; must have penetrated deep into human nature ; must be filled with the whole history of past and present States, adorned with the treasures of science and literature, and enriched with all the multifarious stores of legal and political knowledge. Besides this, an American statesman must be profoundly versed in the history, the interests, separate and relative, of the States ; the institutions, political, literary, and religious, of his own country ; and must have studied the constitution, laws, nature, and powers of our peculiar system of government with the deepest and most untiring research. And to these he must add all those qualities which in public and private life can ennoble or adorn the human character. His, too, must not

have been the mere casual experience of a few months or years of legislation ; his whole life must have been devoted to it.

"Such, Mr. Speaker, is the character which I mean when I speak of a Statesman. But I do not affirm that it has ever, as I have drawn it, been exhibited in any age or country ; nor yet that it is wholly attainable by any mere 'man that is born of woman.' Still less would I maintain that no one is fit for political life or station unless he be just such a statesman. Our condition, were such the case, would be lamentable indeed. But the greatest abilities are demanded only for the highest stations and the greatest exigencies, which, comparatively, are few."

Mr. Vallandigham's first vote, given a few hours after he was sworn in, was in support of a resolution to open the sittings of the House with prayer, a majority of his party voting against it. Soon after, in reply to a member of his own side who complained that he (Mr. V.) was quite too courteous to the Whigs, he said, paraphrasing Burke, "that *he* hoped always so to be a Democrat as not to forget that he was a gentleman." About the same time a Whig correspondent of a newspaper, writing in reference to a violent speech by a Democratic member, said, "He was suitably replied to by C. L. Vallandigham, a young gentleman who is always as near right as party trammels will permit him to go, and sometimes a little more so." Thus his high moral character and urbane manners, together with diligent and laborious attention to his duties, secured to him the respect and good-will of all ; and entering the House utterly unknown, and the youngest member of it, his reputation was in three months established throughout the State.

He returned home in March, 1846, and resumed the practice of the law with redoubled diligence ; but in June was required to canvass the county throughout, in order to secure a renomi-

nation to the Legislature. At the preceding session Columbiana had been entitled to two members; this year to but one. Mr. Vallandigham's former colleague appeared against him, and a vehement contest followed — the nomination being equivalent to an election, and made by ballot. The cause of the opposition to him was this: Some two years previously, the Legislature had passed a so-called "Retrenchment Act," reducing all salaries to a contemptibly low standard; Common Pleas Judges being paid seven hundred and fifty dollars a year, and members of the Legislature two dollars a day. Mr. Vallandigham had taken some money with him to the State capital; had lived "righteously and soberly," abstaining totally from liquors and other similar indulgences, and yet had been obliged to borrow money to enable him to return home. He voted and spoke earnestly for the repeal of the "Retrenchment Act." Fully aware that his course would be unpopular with many of his constituents, he said:—"Entertaining these opinions, and believing that I am about to do right, I enter fearlessly upon the discharge of my duty, satisfied to abide the judgment of a constituency I am proud to represent. If that judgment be against me, I shall be content; having still within my bosom the consoling consciousness that I dared to do what appeared to me just." After an animated contest of several weeks, he was renominated by a vote of two to one; and at the following October election, in spite of a very vigorous opposition by the Whig party, was re-elected by a large majority.

But although at this period of his life Mr. Vallandigham was full of business, diligently prosecuting the practice of law and taking a very active part in politics, he found time to devote to social and domestic matters. On the 27th of August,

1846, he was married to Miss Louisa A. McMahon, a sister of the late Hon. John V. L. McMahon, of Baltimore, Maryland, and daughter of Mr. William McMahon, one of the purest and best of men, who lived and died a pious and honored citizen of Cumberland in the same State.

The Legislature met on the 7th of December, 1846, and Mr. Vallandigham was complimented by the unanimous vote of his party for Speaker. The session was marked by the discussion of three most important subjects, Mr. Vallandigham taking a leading part as to all.

To the prosecution of the war with Mexico, then vehemently opposed by the Whig party, he gave an earnest support. On the 15th of December he offered a series of resolutions, of which the following are two:—"That the war thus brought about and commenced by the aggressions and act of Mexico herself, having been recognised by Congress according to the forms of the Constitution, is a Constitutional war, and a war of the whole people of the United States, begun (on our part) and carried on in pursuance of the Constitution and laws of the Union. That this General Assembly has full confidence in the wisdom and the ability of the Executive of the United States to prosecute the war to a successful and speedy termination by an honorable peace; and that we hereby tender the cordial sympathies and support of this Commonwealth to the said Executive, in the further prosecution of the war." In these resolutions it will be seen that he took care to establish the grounds of his support, declaring it "a war brought about and commenced by the aggressions and acts of Mexico"; "*a Constitutional war*"; "*a war carried on in pursuance of the Constitution and laws*"; and a war, the object of which was

not conquest and subjugation, but "*a speedy, honorable peace.*" These resolutions he supported in a strong speech; and being assailed personally in reply by a Whig member, he retorted sharply in a second speech of considerable length, in the course of which he answered the objection that the Legislature was intermeddling in that which did not concern it; saying that, "as a friend to our peculiar system in its true spirit, and as a State-Rights man, he would be sorry to see the day when the individual States should cease to feel the deepest solicitude in the acts of the Government of the Union."

The following is a brief extract from the speech:—

"But the gentleman from Harrison further charges me with ambition.

"The noble Brutus  
Hath told you Cæsar was ambitious;  
If it were so, it was a grievous fault,  
And grievously hath Cæsar answered it."

Sir, I freely confess that I am not of so stoical a mould of mind as to be indifferent altogether to the honors and glories of the world. But mine, I trust, is that honorable ambition which seeks the attainment of 'noble ends by noble means.' If I am not without ambition, I yet hope that I shall be found 'without the illness which should attend it.' Of such ambition I am not ashamed. But the gentleman misapprehends me. I did not speak of the 'high places' of the State and the Union as the motives which control my speeches and movements in this House, or as fitting motives to govern any one. Far from it. I have never made office, or even honor, the aim or end of my ambition. They are desirable only so far as they enable the true patriot the more efficiently to do good for his country and for mankind, and not for their own sake. In this spirit and conviction I begin public life, and in it I trust to continue steadfast to the end."

At the same session the "Missouri Question" was revived in the form of the "Wilmot Proviso," or proposed exclusion.

of Slavery from the Territories. In fourteen years the agitation terminated in CIVIL WAR. On the 16th of January, resolutions in favor of the "Proviso" were introduced by a Whig member from the Western Reserve. Mr. Vallandigham promptly moved to lay them upon the table, which was done. A few days later, being called up for discussion, he opposed them in an impassioned speech (briefly and imperfectly reported), declaring that the agitation could result only in civil war and disunion, and that he had spoken with great earnestness and feeling "because he felt called upon, as a patriot and citizen, to resist and expose every measure which might work incalculable mischief, not only to ourselves, but to generations yet unborn." He further declared that whenever any question might arise involving the Union in the alternative, he would go with his might on that side—on the side of the Union, now and forever, one and inseparable. During the session two several petitions were presented by Whig members, praying the Legislature because of the annexation of Texas to "declare the Union dissolved, and withdraw the Ohio Senators and Representatives from Congress." Mr. Vallandigham voted for the motion in each case to reject the petition.

But his ablest speech at this session was made in support of his bill to provide for calling a convention to amend the State Constitution. The bill received a majority but not a two-thirds vote as required, and therefore failed: but the speech attracted much attention throughout the State, and ultimately led to the passage of the bill at a subsequent session. To give a clear and satisfactory view of this speech would require copious extracts, and for these we have not space.

Taking an active part upon all important questions, Mr. Vallandigham again found it necessary to separate now and then from his party friends. Upon one of these occasions — on a bill to promote the cause of popular education, in which he took a deep interest — he said “he was sorry to part company with them on any question, but was not afraid to vote according to the dictates of his conscience. He had stood upon the floor before, and was ever proud to stand, even in a minority, when he could feel, as he now did, that he stood on the vantage-ground of truth.”

Upon the question of the so-called “Black Laws,” relating to the disabilities of negroes and mulattoes, he voted against their repeal, but supported a bill to submit the question to a vote of the people, expressly declaring that he so voted because the measure “would result in the most effectual putting down of this vexed question for perhaps twenty years to come. It would probably fall out as the question of negro suffrage in New York, where the people had voted against it by a majority of fifty thousand.”

Throughout this his second session Mr. Vallandigham maintained and added to the reputation which he had acquired at the first. A gentleman, an eminent lawyer and politician, writing to a Cincinnati neutral paper, said of him in March, 1847: “Although the youngest member of the Legislature, he came to be regarded long before the close of his first session as the leader of his party on the floor, which position he maintained during the late short and active session. . . . Courtesy and urbanity in public as well as in private life have secured for him the esteem of all who know him without regard to party, while his abilities have commanded their respect. In

all his intercourse with men there is evinced a frankness and an obliging generous feeling which, above all other traits of character, create and retain warm personal friends."

At the close of the session he returned home and resumed the practice of law. His legislative course, so highly creditable to himself, was universally approved by his constituents, and they were anxious to nominate him again; but he declined, and in a few months removed to another part of the State.



## CHAPTER VI.

### REMOVAL TO DAYTON, AND EDITORSHIP OF THE "EMPIRE."

IN August, 1847, Mr. Vallandigham removed to Dayton, Montgomery County, Ohio. Some months before, he had visited the place, was much pleased with the people, admired the beauty of the city, and the energy and enterprise everywhere exhibited, and determined to make it his future residence. To New Lisbon he was warmly attached: it was the place of his nativity; and its healthfulness, the beauty of the surrounding scenery, the interesting associations connected with it of his youth and early manhood—all these endeared it to him. But it was then a place of little enterprise, of little business, and he desired a wider field. On his removal to Dayton he at once entered into partnership in the practice of law with Thomas J. S. Smith, Esq., an able and experienced lawyer, and highly esteemed citizen. He also became connected with the *Western Empire*, the Democratic paper of the city, as part owner and editor. For this he had made arrangements before his removal, anticipating that it might be some time before his income from the practice of law would be sufficient for the comfortable support of his family. This, however, was not his only motive for connecting himself with the press. When a boy he took a deep interest in the art of printing, and in one of the offices in his native town he was accustomed to spend

much time in setting type and making himself acquainted with the mysteries of the art. He also had a high appreciation of the power of the press, and loved to wield it; and when two years afterwards he disposed of his interest in the paper, and surrendered the control of it into other hands, it was because his increasing law business demanded the whole of his time and attention.

The following are extracts from his "Salutatory Address" on assuming editorial charge of the *Empire* September 2, 1847:—

"We will contend calmly and resolutely for all *salutary reforms*; yet not as seeking to change existing institutions solely because they are old, nor clamoring for any innovation simply because it is new. 'To innovate is not to reform.' Yet no abuse shall escape us because covered by the prescription of ages, or protected by the canonising authority of great names.

"A *radical Democrat* as well from sober conviction as from impulse, we will maintain with calm but determined firmness the doctrines of radical *progressive* Democracy. Ours, however, is not the *sans culotte* democracy of the faubourg, calling for two hundred and seventy thousand heads; but our own peculiar, rational, constitutional, American Democracy—that Democracy which is built upon law and order, and governed through reason and by justice—a Democracy the aim of which is to approximate our forms and administration of government as nearly to the standard of unmixed democracies as our circumstances and the well-being of society will admit; to leave as much power with the people in their unorganised capacity as is compatible with the necessities and efficient existence of government, delegating no more to their agents than is requisite for its just and legitimate purposes. We will contend to the utmost for the largest wholesome *individual freedom* of action in all things, and oppose with our whole heart that pernicious and anti-democratic intermeddling of Government with those private affairs and relations between man and man which of right and upon policy ought to be left to the individual citizen himself.

“We will maintain *the right of the majority to govern*; not as a natural right, inherent in majorities, but as a political right, subject therefore as well to the restrictions imposed upon it by our constitutions and laws (except in cases justifying a resort to the *ultima ratio populi*, REVOLUTION) as to the natural and imprescriptible rights of the men composing minorities as individuals. We will war against despotism in all its forms; and to us the despotism of the many is no more tolerable than the despotism of the few. We will maintain *the will of the people to be the supreme law*, subject to the eternal principles of right and justice, which it belongs not to the people to give or take away; but we will seek for that will primarily in the Constitution and laws. The will of the people as exhibited through the press, through public assemblies, petitions, and above all the ballot-box, is in itself neither Constitution nor law; nor has it the force thereof, though entitled to great respect. But it is the highest evidence of what constitutions and laws the people desire to have ordained and enacted; and to the framers of constitutions, and to legislators as such, we hold it to be, when fully and authentically ascertained, the supreme law, as above limited.

“We will support the CONSTITUTION OF THE UNITED STATES in its whole integrity, as it came to us from ‘the fathers,’ believing it to establish in principle the very best form of government which the wisdom of man ever devised.

“We will protect and defend, according to our opportunities and abilities, the UNION OF THESE STATES, as in very deed the ‘palladium of our political prosperity,’ ‘the only rock of our safety,’ less sacred only than Liberty herself; and we will pander to the sectional prejudices, or the fanaticism, or wounded pride, or disappointed ambition of no man, or set of men, whereby that Union shall be put in jeopardy.

“We will maintain the doctrine of *strict construction*, as applied to all grants of power, in trust, to the agents and servants of the people, and especially to the Constitution of the United States; and we will stand fast to the doctrine, also, of ‘STATE RIGHTS’ as embodied in Mr. Madison’s Virginia Report, and Mr. Jefferson’s Kentucky Resolutions of ’98.

“Free trade, the constitutional treasury, equitable taxation assessed upon sound financial principles; the collection of no more revenue in the treasury of the general and State govern-

ment than will suffice under a wholesome administration of the finances; the faithful and speedy discharge of the State debt, never to be incurred again in time of peace; a revision of our State Constitution without further delay; wholesome and rational economy in all the departments and all the transactions of government far removed from the 'economy of meanness;' confidence in the people, jealousy of their agents; one term to the Presidency; a fixed tenure to every office under the Federal Government which will properly admit of it; war before dishonor, but honorable peace always to be preferred to war—these and other kindred principles and measures will receive our hearty support.

"The cause of *popular education* shall receive in like manner our cordial sympathy and aid, as of the last necessity to the prosperity and permanence of our institutions.

"To the present administration we will lend that support (whatever it is worth) which an honest, independent man may and ought to extend to the administration of the party to which he belongs.

"On these, as on all subjects, our opinions shall be our own, and they shall be candidly, boldly, but courteously expressed. In our editorial intercourse with the public we shall seek no personal controversy, nor shall any one draw us into any controversy unbecoming a gentleman. Towards all adversaries between whom and us there shall arise any matter of difference, we will exhibit proper respect—sometimes for their sakes, always for our own."

This Salutatory Address exhibits his political creed more fully than any other of his writings, and it is for this reason that we make these copious extracts. The high appreciation of the value of the Union which he here expresses he ever retained, though during the war an earnest effort was made by his enemies to create the impression that he was in favor of its dissolution.

Mr. Vallandigham proved himself an able and successful editor. His selections displayed good taste and sound judgment, and his editorials were written with force and ability.

The following, from the *Empire* of December 2, 1847, is an extract from an editorial review of a sermon against the Mexican War, by a Methodist preacher:—

“The Saviour whose Gospel he professes gave no such example, taught no such doctrine. When the Pharisees, ‘tempting him,’ asked whether it were lawful to pay tribute to Cæsar, a question which then divided the Jewish nation, instead of pandering to their partisan feelings and prejudices by arraying himself upon the one side or the other, he commanded them to ‘render unto Cæsar the things which were Cæsar’s, and to God the things which were God’s.’ It is no part of the duty of the Christian minister, under the cloak of religion, and in the Pharisaical cant of being otherwise recreant to duty, to pronounce his judgment in the pulpit upon the great political questions which distract the generation in which he lives. There is an end of all purity and usefulness in the ministry, and with it of the usefulness and purity of religion also, if such a course be tolerated. If the clergy and the church are to be arrayed against the Democratic party on the question of this war, let us know it, that we may set our battle in array accordingly. . . . . In attacking thus boldly the abuses of religion by those who essay to preach it, we make no attack on religion itself. We desire to separate carefully and widely between the two. We were taught from earliest infancy, and have sought to practise the lesson ever since, to reverence the religion of the Bible, and to respect those at least of its ministers who walk worthy of their vocation.”

The introduction of politics into the pulpit, the intermeddling of ministers of the Gospel with the exciting political questions of the day, Mr. Vallandigham bitterly opposed and unsparingly denounced all his life. He regarded it as injurious alike to Church and State; as especially damaging to the cause of true and undefiled religion.

Another of his leading articles while editor of the *Empire* was one affirming the right of revolution, but opposing what was then called “DORRISM,” or the asserted right of a mere

numerical majority at any time to set aside existing rules and forms as prescribed by constitutions ; and by spontaneous movement, without form or color of law, to set up a new constitution and government : and another against the repeal, then agitated by the Abolitionists, of the Fugitive Slave Law of 1793.

In June, 1849, he sold out his interest in the *Empire*. The following are the closing sentences of his valedictory in resigning his position as editor. Referring to principles formerly annunciated, he says :—" We would stand or fall by them now as then, and throughout life. Of the vital importance to the welfare of the whole country in general, and the Democratic party in particular, of two, in an especial manner, of these principles, every hour has added to our deep conviction. And we would write them as in the rock upon the hearts of our friends forever : First, that which is really and most valuable in our American liberties depends upon the preservation and vigor of THE UNION OF THESE STATES ; and therefore all and every agitation in one section, necessarily generating counter-agitation in the other, ought, *from what quarter soever it may come*, by every patriot and well-wisher of his country, to be 'indignantly frowned upon' and arrested ere it be too late."

The summer and autumn of 1849 he spent in travel, and the winter in general reading and study. During the winter he was proposed and voted for, by his party in the Legislature, for Judge of the Common Pleas Court of the Montgomery circuit, but defeated by "the balance of power party" because of his views upon the question of Slavery. In the spring of 1850 he resumed the regular and diligent practice of the law with reputation and success.

## CHAPTER VII.

### EVENTS FROM 1850 TO 1855.

THE changes wrought by time in our history since the year 1850 are so many and so radical, that it is difficult for men even of this generation, who were living at that time, to clearly recall to their memories the condition of affairs then, and the public sentiment which existed at that period. In those days the term *Abolitionist* was one of reproach; and although a strong anti-slavery sentiment existed all over the North, it was guided and controlled by a respect for the Constitution, kind feeling for the people of the South, and earnest love for the Union as made by our fathers. "There were giants, too, in those days"; great men, honest men, who had no object in view in their political career but the honor and glory of their country, and the perpetuity of the Federal Union, just as it was made by the framers of the Constitution.

Every intelligent reader is so familiar with the history of the Compromise of that year, that it is scarcely necessary to give more than a hasty review of the circumstances attending the passage of that important measure. The feelings of the majority of the people of the North upon the subject of slavery at that time are better and more concisely expressed by an extract from a speech delivered by Mr. Holmes, of Massachusetts, many years before, than by any language we could

use. It is as follows:—"We are not the advocates or the abettors of slavery. For one, Sir, I would rejoice if there was not a slave on earth. Liberty is the object of my love, my adoration; I would extend its blessings to every human being. But though my feelings are strong for the abolition of slavery, they are *yet stronger for the Constitution of my country.*" Yet a great and growing party was arising in the United States—that which under the name of *Republican* triumphed in the election of 1860—governed more as to policy by hatred of slavery and hostility to slaveholders than by love for the Union or regard for the Constitution. This party, not as yet distinctly recognised as a political organisation, had complete control of some of the Northern States, and held the balance of power in others. When the Compromise measures were finally passed through the patriotic efforts of Clay, Calhoun, and Webster, the anti-slavery men bitterly opposed them. The principal objection was the Fugitive Slave Act, incorporated in those measures. At the present time, when slavery is forever abolished, and when the Abolitionists of the country have triumphed, it would seem at first blush that the objections urged against that law were reasonable; but a calm and impartial examination of the question in the *then* condition of the country, and with the Constitution as it *then* stood, will satisfy the searcher after truth that the law was constitutional, and nothing more than the South was in justice entitled to.

But the truth is that neither at that time, nor at any time since, could human wisdom have devised a fugitive slave law which would not have been either violently opposed or altogether disregarded in the Northern States. During the summer of 1849, the people of California, without any



authority of Congress, acting under a proclamation of General Riley, then in command of that military district, framed a constitution excluding slavery. When Congress met in December, 1849, application was made for its admission as a State under the constitution thus framed. A majority of the Representatives from the South were opposed to its admission under this constitution, which they claimed was irregularly formed and without authority of law. Many other irritating subjects involving the Slavery question, also agitated the minds of the people. A long contest for Speaker occurred, in which a considerable amount of sectional feeling was developed. After the election of the Hon. Howell Cobb, of Georgia, Speaker, the discussions in both the House and the Senate became very bitter and exciting. The gravest apprehensions very soon arose, that on account of the exasperated feelings aroused both North and South, a dissolution of the Union would occur; and if the anti-slavery feeling had been but a little stronger, and the North had possessed the numerical majority that she had in 1860, it would have undoubtedly taken place at that time, or the country precipitated into a civil war, notwithstanding the efforts of Clay, Webster, and others to bring about reconciliation. Mr. Clay's Compromise proposed to admit California under the constitution formed in the manner above described; to organize Territorial Governments for Utah and New Mexico, without any restriction of slavery; to settle the question of boundary between New Mexico and Texas by negotiation with that State; to pass an efficient Act for the rendition of fugitive slaves, and to abolish slave-trade in the District of Columbia. These measures were introduced in the early part of 1850, at the first session of the Thirty-first

Congress. After a long and severe struggle, the plan of Compromise proposed by Mr. Clay was substantially adopted, and the better class of people North and South were sanguine that a permanent peace between the sections was established. But in the North the Abolition agitators were determined that there should be no settlement of the Slavery question other than the complete destruction of the institution. Meetings were held all over the North to denounce the Compromise measures. A meeting of this kind was held at the City Hall in Dayton, on the 19th of October, 1850. The following is one of the resolutions reported to this meeting:—"Resolved, That the Congress which could be so far frightened from its propriety, by the insolent bluster and bravado of a few slaveholders, as to pass an Act (the Fugitive Slave Act) so fraught with injustice, and so odious, deserves the rebuke of the people of these United States." Mr. Vallandigham was present at this meeting, and spoke earnestly in opposition to this resolution, and in favor of the Compromise policy which gave birth to the law. The *Dayton Journal*, a Whig paper, in an editorial, spoke in these terms of his speech on that occasion:—"His speech was ingenious and eloquent. His objection to the course proposed by the resolutions was, that it would lead to further agitation and tend to endanger the Union." This resolution was, however, adopted by the meeting; and another meeting was soon after called by the friends of the Compromise measures, which was held on the 26th day of October. A full account of this meeting, including Judge Crane's letter, we publish below. The letter of Judge Crane is a complete answer, very concisely made, to the objections urged against the Fugitive Slave Law. There were no party distinctions at

this meeting; the President was a prominent and influential Whig, three of the Vice-Presidents were Democrats and three were Whigs, and one Secretary was a Whig and the other a Democrat:—

“PUBLIC MEETING IN DAYTON.

“Pursuant to a public call signed by over one hundred of the citizens of Montgomery County, a very large meeting assembled at the City Hall, in Dayton, on Saturday evening, October 26, 1850. On motion of R. Green, Alex. Grimes, Esq., was called to the Chair. The meeting being called to order, on motion of C. L. Vallandigham, Esq., Dr. John Steele, Dr. J. A. Walters, Richard Green, David Cathcart, James McDaniel, and David Clark were elected Vice-Presidents, and Jos. G. Crane and David A. Houk, Secretaries. Mr. Vallandigham then read the correspondence between a committee of gentlemen and Hon. Jos. H. Crane, which was as follows:—

“DAYTON, Ohio, October 23, 1850.

“To the Hon. JOSEPH H. CRANE:—

“*Sir*:—The undersigned citizens of Montgomery County, concurring in the call just issued for a meeting of all those who are in favor of sustaining the recent efforts of the Executive and Congress of the United States, to compromise and adjust the vexed questions which for so long have agitated the country and endangered the stability of the Union and the peace and harmony of its different sections, and who desire that quiet, good feeling of fraternal affection, as in the earlier years of the Republic, shall once more and henceforward prevail between us and our brethren of the South, respectfully unite in the earnest request that, despite the many years which have crowned you with so honorable an old age, you will consent to preside at the meeting to be convened on the ensuing Saturday evening in the City Hall, for the purposes above expressed.

“Very respectfully, &c.,

“C. L. VALLANDIGHAM,  
LUTHER GIDDINGS,  
D. G. FITCH,  
RICHARD GREEN,  
T. J. S. SMITH,  
GILBERT KENNEDY.

“To Hon. JOSEPH H. CRANE, Dayton.”

## "JUDGE CRANE'S REPLY.

"DAYTON, October 25, 1850.

"Gentlemen:—Your letter of the 23d inst. was handed to me yesterday. I should readily comply with your request, if sanctioned by the meeting, if I were able to do so. But in the present state of my health I am unable to attend, still less to take part in a public meeting which may and probably will be protracted to a late hour in the evening.

"I most cordially concur in the wish you express that quiet, good feeling, fraternal affection, and, may I add, the old good humor, as in the earlier years of the Republic, may once more and henceforward prevail between us and our brethren of the South.

"While no one will question the right of the citizens individually or collectively to express their views and opinions on all questions affecting the public interest, it must be granted that those opinions, when publicly announced, are equally the subject of discussion and criticism.

"The resolutions adopted at a public meeting held in this city last week censure the Act of Congress of last session, commonly called the Fugitive Slave Act, as "unjust and oppressive, inconsistent with the spirit of our institutions and the rights of men under them, and disgraceful to the Government." Such are the general charges: the specifications are, that Marshals, &c., are compelled under heavy penalties to obey and execute process issued under this law, and subjected to liability for the escape of such fugitives, whether with or without their assent. This would seem rather an objection to the common law than to this particular Act of Congress. Sheriffs and other ministerial officers are compellable at common law to obey and execute all lawful process to them directed, and subjected to heavy penalties for neglect or refusal. The same common law makes the Sheriff, &c., liable for the escape of a prisoner in his custody, whether voluntary or not. The Marshal by this Act is only placed in the same predicament and subject to the same responsibility as a Sheriff.

"I need only refer to the opinion of Mr. Crittenden, the Attorney-General, to disprove the specification that this Act renders ineffectual or suspends the writ of *habeas corpus*. This writ is a writ of right, and every Judge, on a proper applica-

tion to him, must issue it, and when the party is brought before him must determine whether the imprisonment be legal or not. This writ can only be suspended by Congress in the cases specified in the Constitution.

“The complaint that this law makes the petty officers of a court the Judges in questions of personal liberty and perpetual slavery, without appeal or review, applies with equal force to the Act of 1793, which was the law of the land for more than half a century. That Act gave the same summary remedy, authorised the arrest of the alleged fugitive by the claimant, his agent or attorney, gave the Circuit and District Judges of the United States Courts, or any magistrate of any county, city, or town corporate where such arrest was made, jurisdiction to hear and determine, without a jury and without appeal or review, and the certificate of such Judge or magistrate was a sufficient warrant to remove the fugitive to the State or Territory from whence he fled.

“The principal difference in this respect between the Act of 1793 and this Act amendatory and supplementary thereto, is that commissioners appointed by the Circuit and District Courts of the United States are substituted for the county, city and town magistrates; and though petty officers, or rather Judges of limited jurisdiction, will probably be found quite as well qualified to hear and determine as their predecessors under the Act of 1793. Judge Story, in his commentaries on the Constitution, has shown the reason and necessity of this summary remedy, adopted in 1793 and continued under the amendatory and supplemental Act of 1850.

“It is further objected that this Act, under certain circumstances, compels the removal of the fugitive to the State from whence he fled, by the Marshal, and at the expense of the United States. The Constitution secures to the owner the right of reclaiming his slave in any State into which he has escaped. The Supreme Court of the United States has decided that Congress has the sole and exclusive power of legislation on this subject, and to carry into effect this provision of the Constitution, the Act of 1793 as well as that of 1850 has established tribunals to hear and determine cases of this description. But the jurisdiction of a court would be maimed and defective without the power of carrying its judgments into effectual execution. This amendatory Act of 1850 has guarded against the forcible

rescue of one adjudged to be a fugitive and bound to service, by requiring the Marshal to remove him to the State from whence he fled, and empowering him to summon assistance to overcome such apprehended force. The Sheriff may command the power of his county where the process of the court is forcibly resisted. This Act in the case specified gives the Marshal a similar power to enforce the judgment of the court. Have we not reason to believe that in many cases such judgments would prove wholly nugatory and unavailing without some such provision for enforcing them? But "it is on the oath of the claimant and at the expense of the United States." He is the one most likely to be apprised of an intended rescue, and to feel apprehensions of its success, and is the proper person to make the affidavit. And why should this extraordinary expense fall on the claimant? The Constitution has secured his right of recapture; he has established that right before the tribunal created by law to hear and determine such questions; and ought not the Government to secure to him the benefit of such judgment against unlawful force and violence?

"I have gone through the specifications in support of the general charges contained in the resolutions. However they may affect others, they do not satisfy my mind that this amendatory and supplemental Act deserves the character given to it by those resolutions. I am, gentlemen,

"Very respectfully yours, &c.

"JOSEPH H. CRANE.

"To MESSRS. GREEN, KENNEDY, GIDDINGS, VALLANDIGHAM, FITCH, and SMITH."

"On motion of Major L. Giddings, a committee of nine were appointed to draft resolutions expressive of the sense of the meeting, whereupon the Chair appointed the following gentlemen:—C. L. Vallandigham, E. W. Davies, D. G. Fitch, D. Z. Pierce, Thos. J. S. Smith, Jonathan Harshman, Alex. H. Munn, and Daniel Richmond.

"Major Giddings was then called for, and responded in a brief address, sustaining the recent Fugitive Slave Law as an important and indispensable feature of the Compromise.

"The committee being ready to report, through their Chairman, C. L. Vallandigham, the resolutions were read, which were as follows:—

“*Whereas*, in the opinion of the meeting here assembled, a crisis of imminent peril exists in the affairs of the nation, which demands of every citizen that it be written upon his forehead what he thinks of the Republic; and *Whereas*, also, Congress, at the session just adjourned, after many months of wearisome and dangerous excitement and agitation, have presented to the people of the United States a system of measures designed to settle and put at rest forever the vexed questions and embittered strifes which so far and for so long have weakened the ties of common interests and a common brotherhood, and periled the existence even of the Union itself—we, a portion of the people of Montgomery County, in public meeting assembled, do declare and resolve:

“1. That we are for the Union as it is and the Constitution as it is, and that we will preserve, maintain, and defend both at every hazard, observing with scrupulous and uncalculating fidelity every article, requirement, and compromise of the Constitutional compact between these States, to the letter and in its utmost spirit, and recognising no “higher law” between which and the Constitution we know of any conflict.

“2. That the Constitution was “the result of a spirit of amity and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable;” that by amity, conciliation, and compromise, alone can it and the Union which it established be preserved; and that it is the duty of all good citizens to frown indignantly upon every attempt, wheresoever or by whomsoever made, to array one section of the Union against the other; to foment jealousies and heart-burnings between them by systematic and organized misrepresentation, denunciation, and calumny, and thereby to render alien in feeling and affection the inheritors of so noble a common patrimony, purchased by our fathers at so great expense of blood and treasure.

“3. That as the friends of peace and concord—as lovers of the Union, and foes, sworn upon the horns of the altar of our common country, to all who seek and all that tends to its dissolution—we have viewed with anxiety and alarm the perilous crisis brought upon us by years of ceaseless and persevering agitation of the Slavery question in its various forms; and that the Executive and Congress of the United States have deserved well of the Republic for their patriotic efforts so to

compromise and adjust this vexed question as to leave no good cause for clamor or offence by any portion of the Union.

“4. That a strict adherence in all its parts to the Compromise thus deliberately and solemnly effected, is essential to the restoration and maintenance of peace, harmony, and fraternal affection between the different sections of the Union, and thereby to the preservation of the Union itself; and that GOOD FAITH imperatively demands that adherence at the hands of all good citizens whether of the North or of the South.

“5. That, believing this Compromise the very best which, in view of the circumstances and temper of the times, could have been attained, we are for it as it is, and opposed to all agitation looking to a repeal or essential modification of any of its parts; and that we will lend no aid or comfort to those who for any purpose seek further to agitate and embroil the country upon these questions.

“6. That “all obstructions to the execution of the laws, all combinations and associations, under whatever plausible character, with the real design to direct, control, counteract or awe the regular deliberation and action of the constituted authorities, are destructive of the fundamental principle of our institutions and of fatal tendency”; that all such efforts, wherever made or by whomsoever advised, find no answering sympathy in our breasts — nothing but loathing and contempt; and that we hereby pledge ourselves to the country, that so far as in us lies, the UNION, the CONSTITUTION, and the LAWS, must and shall be maintained.

“7. That the resolutions adopted in this Hall on the 19th of October do not meet our concurrence either in language, temper, or object; that in the opinion of this meeting they do not express the sentiments of the people of this county, and will not by them be endorsed; that we regard the Fugitive Slave Act of 1850 as a Constitutional and necessary enactment — an amplification and fulfilment of the Constitutional compact, founded directly upon and demanded by it, and no more stringent than that compact authorised and the exigencies of the times required.’

“Geo. W. Houk, Esq., then moved the adoption of the resolutions, whereupon Edward W. Davies, Esq., in a very courteous manner, desired that if there were any in the meeting who were opposed to the sentiments expressed in the resolutions,



that they would give a full and free expression of their opinions, and assured them that the meeting would hear them with the most respectful attention. He desired this, and extended the invitation, hoping that if such sentiments were entertained, the invitation might be responded to, inasmuch as he was open to conviction and always wished to hear both sides of all questions.

"There being no response to the invitation, T. J. S. Smith, Esq., was called for and responded in a short speech, giving his entire approbation to the object of the meeting and the resolutions.

"C. L. Vallandigham, Esq., was next called to the stand, and responded, sustaining the law and the Constitution, and reviewed at considerable length the objections to the law.

"The question was then put upon the adoption of the resolutions and UNANIMOUSLY carried."

Mr. Vallandigham was warmly and enthusiastically in favor of the Compromise Measures of 1850, including the Fugitive Slave Law, not because he was a pro-slavery man, but because he believed that slavery was recognised and protected by the Constitution. In this view he was sustained not only by the ablest statesmen of the Northern States, but also by the decisions of the most eminent Judges of the same section. Judge Baldwin, a distinguished Judge from the North, a Justice of the Supreme Court, said that the right of Southern men to reclaim fugitives from labor (slaves) was the cornerstone of the Union, without which, he avowed in a judicial decision, it would never have been established; and Judge Story, that eminent jurist, said, in the case of *Prigg vs. Pennsylvania* — speaking of the section of the Constitution under which the law was made — "it cannot be doubted that it constituted a fundamental article, without the adoption of which the Union could not have been formed."

Mr. Vallandigham recognised in political matters no higher law than the Constitution of his country.

During the years 1850 and 1851, his practice largely increased; and although his health was not as firm as it became at a later period of his life, he applied himself with intense diligence and earnestness to his professional duties.

At the Democratic Convention in August, 1851, he was a candidate for the office of Lieutenant-Governor, but after an animated contest, and a very flattering vote, was defeated. Edwin M. Stanton (afterwards the famous War Secretary), and Hon. Allen G. Thurman, were candidates before the same convention for Supreme Judge, and were both defeated. The Hon. George E. Pugh was nominated for Attorney-General. Mr. Vallandigham did efficient service in stumping the State in the campaign following, which resulted in a Democratic majority of about twenty-seven thousand.

In August, 1852, notwithstanding strong opposition, he was nominated as the Democratic candidate for Congress in the 3d District, which was then composed of the counties of Montgomery, Butler, and Preble. The convention met at Germantown, in Montgomery County. The vote on the nomination stood for Vallandigham 91, for P. P. Lowe 49, and for King 18. Mr. Vallandigham conducted the canvass with great industry and energy, attending and addressing meetings in almost every township in the District, but was unsuccessful. The majority against him, however, was only 147 in a vote of about twenty thousand. Some disaffected Democrats voted for Mr. Campbell, his competitor, who also received the support of the Abolition, or Liberty party. The Liberty party voted against Mr. Vallandigham because of his earnest advocacy and sup-

port of the Compromise Measures. They acknowledged his ability and integrity, and their Central Committee, in a circular published immediately after the election, thus refer to him:—"In opposition to Mr. Campbell, the Democratic party had nominated C. L. Vallandigham, a lawyer of high standing, an eloquent and ready debater, of gentlemanly deportment and unblemished private character, and untiring industry and energy. But he was known to all to be an ultra pro-slavery man (anti-abolitionist); he undertook with a relish to carry the load of the Compromise Measures, the Fugitive Slave Law included, and he broke down under the burden."

During the summer of 1853, in company with his brother-in-law, John V. L. McMahon, Esq., of Baltimore, he took a long and delightful journey through the mountains of Virginia. Starting from Cumberland, Maryland, they proceeded by easy stages, often stopping for days in a neighborhood to gun and fish, through Romney, Virginia, Moorefield, Franklin, McDowell, and the Greenbrier Springs, to an obscure little hotel in the mountains near the last-named place. Here they spent several days in trout-fishing and exploring the mountain heights around them. They returned northward in the same leisurely manner, travelling much in the way described in the interesting work of Col. Strother, *Virginia Illustrated*. In after-days both of these eminent men were accustomed to descant with the highest pleasure on the incidents connected with this journey, and Mr. Vallandigham often referred to that period as one of the happiest of his life. His health was much improved by this journey; and the intimate converse with a man of so remarkable ability as Mr. McMahon, and the reflections awakened and meditations indulged in amidst the grand scenery

through which they passed, had no doubt an equally happy effect upon his mind. It was singular that these men, who had been so intimate and so warmly attached though differing widely in many respects, should have died within a very few hours of each other. United in life,—“tried friends, fond brothers,”—they were not long separated.

In 1854 Mr. Vallandigham was again nominated, this time with but little opposition, for Representative in Congress. Meantime, since 1852 great changes had occurred in the politics of the country. The Whig party had perished: it did not long survive the loss of its great leaders, Henry Clay and Daniel Webster, both of whom died in 1852. In opposition to the Democracy was arrayed the wonderful strength, though it was evanescent, of the Mystic Brotherhood, the American or Know-nothing party. A storm of indignation too had been aroused in the North by the passage of the Nebraska Bill, and by what was denounced as the violation of the Missouri Compromise.

The Hon. Lewis D. Campbell was again nominated against him. The campaign was active and animated. Mr. Vallandigham denounced the Know-nothing order in the severest terms everywhere in the district, yet towards the close of the canvass the excitement was raised to fever heat by the report, widely circulated and most emphatically affirmed, that he was himself a member of the order. In Butler County this excitement was greatly augmented by many bets being offered by Mr. Vallandigham's friends and taken by his opponents, that the allegation made against him was untrue. Several affrays growing out of this charge took place in different parts of the district. Two of the most prominent and respectable gentlemen of the city of Hamilton became so enraged in a dis-

cussion upon the subject, that from words they came to blows, and quite a desperate rencounter occurred, in which the Democrat, a prominent politician and then sheriff of the county, was the victor, and thus acquired the title, which he bore for many years, of the "fighting sheriff." It is proper to say that he was not the aggressor. On Monday before the election Mr. Vallandigham went down to Hamilton, and before Judge Josiah Scott, afterwards of the Supreme Court of Ohio, made solemn oath that he was not and never had been a member of the organization. The manner in which the report gained such strength and credence, was this: Some days before the election one of Mr. Vallandigham's political opponents, president of a Know-nothing lodge, came up from Hamilton to Dayton, and induced the president of a Know-nothing lodge in the latter city to sign a statement that Mr. Vallandigham was a member of his lodge. This was taken back to Hamilton, and was considered so authoritative that many were induced to stake money upon its truth. But the person who made the statement afterwards swore solemnly that it was untrue, and that so far as he knew, Mr. Vallandigham never belonged to the Know-nothing order. In fact, Mr. Vallandigham early learned from a personal friend who did belong to the order, all about it, its ritual, its signs, grips, &c., and immediately expressed his opposition to it and took the first public opportunity to denounce it.

The year 1854 was one of disaster to the Democracy; the party was everywhere defeated, and Mr. Vallandigham fared no better than his brethren elsewhere. The majority against him was 2565, although he ran between four and five hundred ahead of the State ticket in the district. He took his defeat in

the most philosophical manner possible, and again concentrated his energies upon the practice of law.

During the campaign of 1854 his son Charles was born, and Mr. Vallandigham's letters about this time to his relatives and most intimate friends were more devoted to accounts of domestic affairs than the discussion of politics. Mr. Vallandigham has often been denounced as a cold-hearted, ill-tempered man by those who cannot understand that the hand which is strongest in the contest with men may be the tenderest and most gentle in the family circle. Children always by instinct seemed to love him; and it was his delight, when relieved for a time of the cares of the world, to watch their innocent gambols and take part in their amusements. His was a stormy and busy life, however, and but little time was granted him in which to unbend his brows and give way freely to the natural feelings of a warm and affectionate heart.

The winter and spring passed pleasantly over his head; all of his time which he could spare from his office being spent in his own household, in the society of his family and friends, and in general reading. It was about this time that he came to the conclusion that it was scarcely possible for the country to escape a great civil war. Resolved to do what he could to avert it, he determined to make a speech of warning to the Democracy on this subject. This speech he delivered before a Democratic meeting in Dayton on the 29th of October, 1855, and it was one of the ablest and most eloquent speeches of his life. It was a searching and exhaustive review and exposition of the rise, progress, and full development of the Abolition movement in the United States; and its purpose was to bring the Democratic party up to meet the slavery issue fairly and

boldly, and thus to restore it to sound doctrine and discipline, and therefore to power and usefulness. Firmly believing that the continued agitation of the Slavery question would result in civil war, and perhaps in a dissolution of the Union, he pointed out with earnestness the duties of the hour and the danger impending the country.

This speech excited much interest and attention : by request of those who heard it, it was printed in pamphlet form, and widely circulated. It was highly lauded even by some of his political opponents. The Dayton *Empire* thus speaks of it :—

“Mr. Vallandigham opened the meeting in a powerful speech. His argument upon the Slavery question was one of the most connected, logical, forcible and brilliant arguments that we have ever listened to. He reviewed the whole subject, he went over the whole field, and there was no candid man present who did not feel that he had triumphantly vindicated Democratic principles and Democratic policy. He was frequently interrupted by loud bursts of applause. . . . Mr. Vallandigham's effort was the best of his life. We have heard many say that it was the very best political speech that they ever heard ; and if we may judge from the applause with which he was greeted, this opinion was not confined to a few.”

The following is from the *Dayton Journal*, a Whig paper :—

“Having some curiosity to learn the precise object of the meeting advertised by the Democracy for Monday evening, we took a seat in the City Hall, and listened to the speech of Mr. Vallandigham from beginning to the end. It would be unfair to deny to the effort of Mr. V. signal ability, ingenuity, and eloquence, or to refuse to admit that, considering his strong Democratic proclivities, there was more of fairness in his manner of treating questions of a purely partisan character than we had been led to expect. His detail of the rise, progress, and combinations of ‘third parties,’ or ‘isms,’ was interesting and instructive. His statement of the introduction of slavery

into this country, and the agencies by which it was accomplished and the traffic in slaves upheld, though not unfamiliar to many persons, might be considered with profit by a great many more. But with all this there was a disposition to glorify and uphold the Democratic party which we confess was altogether unpalatable to the old-fashioned Whiggism with which we have been indoctrinated ; though it is to be stated by way of offset, that Mr. Vallandigham was at times not a little severe upon the inconsistency and subserviency of this same Democratic party.

“The principal demonstration of Mr. Vallandigham was against fanaticism and sectionalism, and here much that he said was just to the point. He argued in favor of confining questions of morals and politics to their legitimate and appropriate spheres, and against all stirring up of strife between the North and the South. He traced opposition to the enforcement of the Fugitive Slave Law to hostility to the Constitution itself, and a pretended responsibility in the North for the ‘sinfulness’ of slavery as the fruitful source of the feeling of alienation which had been engendered between the North and the South. He contended that with the alleged sinfulness of slavery the North had nothing to do. It was enough for the people of the North to know that the ‘peculiar institution was sustained by the Constitution.’ His object was not to discuss the evils or the sinfulness of slavery, or to express any opinion in regard to its evils or its merits. He was anxious to meet and repel every attempt to make the existence of slavery in the South, or elsewhere, a pretext for the formation of sectional parties which must endanger the perpetuity of the Union.”

The following are some of the closing sentences of the speech :—

“All this, gentlemen, the spirit of Abolition has accomplished in twenty years of continued and exhausting labors of every sort. But in all that time not one convert has it made in the South, not one slave emancipated, except in larceny and in fraud of the solemn compacts of the Constitution. Meantime public opinion has wholly, radically changed in the South. The South has ceased to denounce, ceased to condemn slavery,



ceased even to palliate, and begun now almost as one man to defend it as a great moral, social and political blessing. The bitter and proscriptive warfare of twenty years has brought forth its natural and legitimate fruit in the South. Exasperation, hate and revenge are every day ripened into fullest maturity and strength, and now needs but the acts of the North to unite in solemn league and covenant to resist aggression even unto blood.

"I know well, indeed, Mr. President, that in the evil day that has befallen us, all this and he who utters it shall be denounced as 'pro-slavery;' and already from ribald throats there comes up the slaving, drivelling, idiot epithet of 'dough face.' Again, be it so. These, Abolitionists, are your only weapons of warfare, and I hurl them back defiantly into your teeth. I speak thus boldly because I speak in and to and for the North. It is time that the truth should be known and heard in this age of trimming and subterfuge. I speak this day not as a Northern man, nor a Southern man, but, God be thanked, still as a United States man, with United States principles; and though the worst happen which can happen, though all be lost, if that shall be our fate, and I walk through the valley of the shadow of political death, I will live by them and die by them. If to love my country, to cherish the Union, to revere the Constitution; if to abhor the madness and hate the treason which would lift up a sacrilegious hand against either; if to read that in the past, to behold it in the present, to foresee it in the future of this land, which is of more value to us and the world for ages to come than all the multiplied millions who have inhabited Africa from the creation to this day — if this is to be pro-slavery, then in every nerve, fibre, vein, bone, tendon, joint and ligament, from the topmost hair of the head to the last extremity of the foot, I am all over and altogether a pro-slavery man.

"The true and only question now before you is whether you will have union, with all its numberless blessings in the past, present and future, or disunion and civil war, with all the multiplied crimes, miseries and atrocities which human imagination never conceived and human pen never can portray.

"I speak it boldly, I avow it publicly: it is time to speak thus, for political cowardice is the bane of this as of all other

republics. To be true to our great mission and to succeed in it, you must take open, manly, one-sided ground upon the Abolition question. In no other way can you now conquer. Let us have, then, no hollow compromise; no idle and mistimed homilies upon the sin and evil of slavery in a crisis like this; no double-tongued, Janus-faced, Delphic responses at your State conventions. No! fling your banner to the breeze and boldly meet the issue: Patriotism above mock philanthropy; the Constitution before any miscalled higher law of morals or religion; and the Union of more value than many negroes.

"If thus, Sir, we are true to the country, true to the Union and the Constitution, true to our principles, true to our cause and to the grand mission which lies before us, we shall turn back yet the fiery torrent which is bearing us headlong down the abyss of disunion and infamy deeper than plummet ever sounded. But if in this day of our trial we are found false to all of these — false to our ancestors, false to ourselves, false to those who shall come after us; traitors to our country and to the hopes of free government throughout the globe — Bancroft will yet write the last sad chapter in the history of the American Republic."

To those who have grown up since the new era of emancipation — to whom the triumph of Abolitionism, even at the cost of a bloody civil war, appears to be a glorious progressive movement — it may seem that the vigorous defence of the rights of the South, and the violent opposition to Abolitionism of Mr. Vallandigham and other Northern men, was uncalled for and improper. Before, however, they denounce these men or harshly condemn their course, let them carefully examine the past history of the country. In such investigation they will learn some facts that may modify their views and soften the asperity of their feelings, and teach them wholesome lessons of charity. They will learn that the stern old Puritans, from whom they are proud to claim their descent, were many of them slaveholders, holding not only negroes, but also Indians

in bondage; that the institution of slavery existed in nearly all the States of the Union at the time of the adoption of the Constitution; that it was recognised and protected by that Constitution; that probably a majority of the framers of that instrument were slaveholders; that the Declaration of Independence was drawn up by a slaveholder; that a large proportion of the great men in the earlier days of the Republic who have adorned the pages of our history, were slaveholders; and if we were to strike from our annals the names of those illustrious men, but a barren list would be left of our heroes and statesmen. We should have no Jefferson or Madison, no Chief-Justice Marshall or William Wirt, no Clay, or Calhoun, or Jackson; and above all, no Washington. They should call to mind the fact that the emancipation of the slaves in the Northern States was not a sudden thing, nor entirely brought about by feelings of humanity; that it was gradual, and that a large number of slaves in the North were sold to the South by their owners before emancipation laws had been enacted, or at least before they had gone into operation. Nor should it be forgotten that the emancipation of the slaves in the South was not the result of any great moral feeling or humanitarian impulse on the part of its authors. It was a war measure, just as their enfranchisement was accomplished, because those who effected it regarded it as a political necessity, in order to preserve the power of the Republican party and to control the politics of the country.

Although Mr. Vallandigham was always opposed to Abolitionism, it was simply because the Slavery agitation disturbed the peace and harmony of the country, assailed the principle of State Rights, and threatened a dissolution of the Union.

He was no advocate of the perpetuity of the institution. He believed that ultimately, without any shock to our political system, it would be abolished—gradually, and by the action of the Slave States themselves: this he considered the only wise and safe plan, and for this he was willing to wait.

## CHAPTER VIII.

### ELECTION TO CONGRESS IN 1856, AND CONTEST FOR THE SEAT.

ON the 28th day of July, 1856, the Democratic Convention to nominate a candidate for Congress from the 3d District of Ohio, met at Eaton, in Preble County. After duly organising, the names of Mr. Isaac Robinson, Hon. William King, and Judge Kinder, that had been presented, were withdrawn, and on motion of Col. Hendrickson, Mr. Vallandigham was nominated by acclamation.

It was the year of the first struggle for the Presidency by the Republican or Abolition party, now consolidated by the total dissolution of the Whig party. The Presidential canvass was extremely violent; but in the Third District it was wholly forgotten in the terrible bitterness of the Congressional contest. Nothing equal to it had ever occurred in the United States. The Abolition party had renominated Mr. Campbell, who had twice before been Mr. Vallandigham's successful competitor. For three months, day and night, every energy of the candidates and their respective parties was exhausted; and at the end of the canvass, Mr. Campbell appeared by the official count to be elected by nineteen majority. Gross and palpable frauds had been committed by the successful party; and upon this ground, and because a number of negro votes had been

cast for his competitor, the friends of Mr. Vallandigham demanded that he should contest the election. He consented, and on the 25th of October served on Mr. Campbell a notice of contest. A technical objection having been suggested to the sufficiency of this notice, he avoided it by serving the notice again on the 29th of December, 1856. On the 27th of January, 1857, he received a formal reply to the notice, assigning the reasons why the contestee would insist upon his right to the seat. The contestant commenced taking depositions in support of his claims, in Butler County, on the 2d of February, 1857, represented by his attorney, F. Vanderveer, Esq. (afterwards Colonel and then General in the Federal army), the contestee being represented by N. C. McFarland, Esq. From the 20th to the 28th of March testimony on his behalf was taken in Montgomery County, J. A. McMahon, Esq., acting as attorney for the contestor, and F. P. Cuppy, Esq., for the contestee. On account of the expiration of the sixty days limited by law from the time of giving notice, the contestant was unable to take any testimony in Preble, the other county of the District. The contestee did not commence taking testimony on his behalf until within eleven days of the expiration of the period limited by law; and about that time wrote to Mr. Vallandigham, proposing to waive all technicalities, and each to proceed to take further testimony in the case. Mr. Vallandigham refused to accede to this proposition, but wrote to Mr. Campbell, saying that he was willing to waive all advantages as well substantial as technical, and at such time as the Governor of the State might appoint, or if the contestee should prefer it, on the second Tuesday of October following, to submit again the question to the people of the District for their final decision.

To this proposition Mr. Campbell made no reply, and so the matter rested till the first of December.

In June, 1857, occurred the Ohio rebellion. The deputies of the United States Marshal of the Southern District of Ohio, in the execution of a regular judicial process, issued under the Fugitive Slave Act, took in custody several slaves. They were pursued by a body of armed men, more than fifty in number, from Champaign County, through Clark into Green County, and there attacked and overpowered and the negroes rescued. The assailants of the Deputy Marshals were acting by virtue of a writ of *habeas corpus*, under a recent law of Ohio which had been passed for the very purpose of obstructing the execution of the provisions of the Fugitive Slave Act in that State. This writ had been issued by the Probate Judge of Champaign county, and was directed to the sheriff of that county, directing him to take the prisoners from the Marshals. The Marshals, acting under the authority of the United States laws, believing that authority to be paramount, resisted the sheriff, and were therefore arrested on State process before a Justice, and committed to jail. To discharge them from imprisonment a *habeas corpus* was issued from the United States Court at Cincinnati. In the feverish state of the public mind upon slavery, this of course excited much attention in all parts of the State, and created much feeling. The Abolitionists deeply resented the action of the United States authorities; and although the statute under which the Government officers had been obstructed in the performance of their duties was clearly a nullification of one of the most important laws of the United States, one made under a special section of the Constitution, a part of the Compromise measures of 1850, and one already declared constitutional, they

determined to assert State authority and punish the United States officers if possible. Governor Chase, who proclaimed the extreme doctrine of State Rights, considered the sovereignty of Ohio attacked. He manifested great interest in the case, and sent the Attorney-General to argue the case for the State. The Governor was supported in his views by a majority of his party. They controlled the State, and exhibited a spirit of defiance to the Government which was calculated to produce alarm. Threats of resistance to the United States authority were openly made. This affair was known as the "Ohio Rebellion." Under circumstances, therefore, of unusual excitement, Mr. Vallandigham, with the Hon. George E. Pugh and Stanley Matthews, Esq., appeared for the United States. The case was tried before Judge Leavitt, the man who afterwards gained disreputable notoriety by his decision in the *habeas corpus* of Mr. Vallandigham. It was argued with great ability by the attorneys on both sides; and in the course of his speech the Attorney-General took occasion in very plain language to make the issue between the State of Ohio and the General Government, and advocated with much ability and earnestness the extreme doctrines of the State Rights party. Mr. Vallandigham's argument, from which we append some extracts, called forth the highest commendation. Maintaining the vital doctrine of State Rights to the fullest extent, he yet asserted and upheld the absolute supremacy of the Federal Government within its constitutional limits. Mr. Vallandigham commenced by referring to the question of excess and abuse of authority by the Marshals in resisting the efforts to rescue the negroes, and averred that it was distinctly established that no more was done by the Marshals than was necessary, or certainly at the moment



and under the circumstances appeared necessary, to prevent the rescue of their prisoners, and to defend themselves against violence, if not loss of life. He then cited many authorities to sustain a proposition questioned by the Attorney-General, that in *habeas corpus* cases, courts exercising common law jurisdiction could go behind the return when the party was held under judicial process, and inquire by affidavit or otherwise into the true facts of the capture and detention of the party in custody. This was an important point, for the Sheriff's return upon its face appeared to show good and sufficient cause for the seizure, detention and commitment of the prisoners. He spoke at great length and with much earnestness of the extraordinary statute nullifying the United States law, under color of which the Marshals had been obstructed in the performance of their duties, and ultimately cast into prison. He said the writ by which the United States officers had been arrested in the discharge of their proper functions was —

“ . . . not a writ of *habeas corpus* ; not the high prerogative writ of old England, not the great writ secured by the Constitution, having none of its sanctity, and entitled to no part of its charities. It was not directed to the party who detained the prisoners (the negroes) in custody. This is of the very essence of a *habeas corpus* ; it is descriptive of it, and enters into a definition of the writ. But it is called a writ of *habeas corpus* because that is a holy name and embalmed in the hearts of the people. It had a wicked and treasonable purpose to subserve, and it must assume a sacred name and garb. Its author well understood the philosophy of Mirabeau, and after him Byron. He knew that —

Words are things ; and a small drop of ink,  
Falling like dew upon a thought, produces  
That which makes thousands, perhaps millions, think.

But the motives and the results expected from it cannot be thus concealed, and in a court of law it must be stripped of

its disguises, and set forth in its true character — a statute of sedition and discord. . . . He agreed heartily and throughout with the State Rights doctrines which the Attorney-General with so much ability had advocated. He (Mr. V.) yielded to no man in devotion to those doctrines. Perhaps he even carried them farther than many others. But this was not a question of State Rights. We lived under two governments, which were only parts of one great whole. Neither government possessed all the attributes of sovereignty. Every citizen of Ohio, and especially by a peculiarity of our State Constitution, is a citizen of the United States. As citizens of Ohio we do not exercise the right to declare war and make peace, to maintain an army and navy, &c. In the quality of citizens of the United States we do exercise these powers, though as such citizens we are wanting in others which belong to us in our character as citizens of the State. Sovereignty is, therefore, divided among the governments of the States and the Union. The boundaries are defined and marked out in the Constitution of the United States. Each is supreme within its own limits. Neither can be interfered with by the other while each keeps within its own proper orbit. The Constitution of the United States, and all laws in pursuance of it, are indeed the supreme law of the land; and where constitutional, in case of conflict, bind the Judges of the State Courts. All State officers are sworn to support it. Thus the Constitution of the Union is a part of the Constitution of Ohio; the laws in pursuance of it are a part of the legislation of the State, and the decisions of its courts within their sphere a part of the jurisprudence of the State; and all are to be construed together. So long as each government keeps within its constitutional and legitimate sphere, such is the admirable beauty and the perfection of the system that there never can be a collision. Wherever, then, the courts or authorities of the United States have constitutional power to act, their process and action ought to be wholly free from all control, temporary or permanent, in any way or to any extent, by State action or State process. It is of no moment what the purpose is, or how long the intermeddling, whether for an hour, a day, or six months. And, in this point of view, a writ of *habeas corpus* is no more sacred, and has no more power or authority to control, or delay, or affect in any way, or for any purpose, or any time, the process of the United States, than a *capias*, an execution, or an attachment.

“ Mr. V. would now apply these principles to the argument of the Attorney-General this morning. *Assuming the very point in controversy*, Mr. Attorney had selected his ground and built up a most able and ingenious, and, he would say, unanswerable argument. Mr. V. would give him the whole benefit of it in its utmost strength. *He finds the collision which confessedly exists in this case between the State and the United States, in an attempt by this proceeding on habeas corpus, under the Act of Congress in 1833, to obstruct and render useless and powerless the penal laws and jurisprudence of the State, and to protect hereby the Marshals of the United States from punishment for an infraction of those laws—the laws against assault and battery and the attempt to murder. He has argued, and most conclusively—and it was his whole argument—that the Government of the United States cannot interfere with the penal laws or process of a State, and rescue offenders from the penalty for offences against those laws. But did not Mr. Attorney see, Mr. V. would ask, that the very question to be argued was, whether the acts done by the Marshals were, under the circumstances, an offence against the laws of the State? If they were, then this Court had no power, by habeas corpus or otherwise, to shield them from punishment. But let that question be tested. Prima facie, every homicide is murder (Wright’s Rep. 75); the statute against murder is general; it contains no excepted cases. How, then, does the sheriff, who hangs a man by the neck till dead, escape? Because the same statute-book commands that he shall do it; and the different statutes and sections being construed together, it appears to be lawful. Again, the statute against homicide is general. How, therefore, is the Warden of the Penitentiary justified who takes the life of a prisoner while attempting to escape? Because the law sanctions it. Or how comes the State officer to stand acquit who in executing process is obliged from necessity to kill the party resisting? Because the law allows it. It is, therefore, not every beating that is an assault and battery, nor every killing that is murder, nor every shooting with intent to kill that is an offence against the penal laws of the State. Now, the Constitution of the United States is a part of the Constitution of Ohio; the law of 1850, under which the process issued to the Marshals in this case, is a part of the laws of Ohio, and must be taken and construed together with the statutes against assault and shooting with*

intent to kill. The Constitution authorised the law, and the law the process, and the process justified the officer in using all the force necessary to execute it. If he used this force and no more, then what he did, though there were beating and shooting, was no offence against the penal laws of Ohio. And all that the Court proposes to do here is to inquire into the truth of these matters."

After briefly summing up the points made in the case, Mr. Vallandigham then concluded as follows :—

"I have now, may it please your Honor, finished what I have to say upon the law and the facts of the case. Its magnitude, the deep public interest which it everywhere excites, and the momentous results which, with the certainty of the grave, must follow from a failure by the Judiciary or the Executive of the Union to assert and maintain the principles and the rights which are involved in it, are my apology for having so long detained the Court in this argument. I concur with the Attorney-General in all that he has said of the vast importance of the case now and hereafter; and the more especially if the menaces which he, the law-officer of the State and her representative in this forum, has seen fit to more than insinuate in case of an adverse decision by this tribunal, are, in the hour of madness, to be carried out by her authorities as they are now constituted. Never before has any part of the Judiciary of the United States been called upon in the same way and to the same extent to affirm and to vindicate these rights and principles, so essential to the peace and harmony and the existence of the beautiful complex system of government under which for so many years we have flourished and grown great and happy as a people. In another forum and in other forms they have, indeed, been repeatedly and vehemently agitated and discussed. Similar cases have also now and then arisen recently in your courts, wherein these same doctrines have been brought incidentally into debate; but never before have they been presented in the case of direct and absolute antagonism between the laws, process and authority of a State and of the United States. The insurgents of Western Pennsylvania, in the last century, did not assume to act under any law of that commonwealth, and found no countenance or support from any

other legally constituted authorities. No State in the Union gave aid or comfort to the conspiracy of Aaron Burr, nor was the murder of Gorsuch and the rescue of his slaves pretended to have been done under any statute or process of the State of Pennsylvania. Neither did that ancient and loyal commonwealth, in the yet later cases from the county of Luzerne, require or permit her Attorney-General or any of his deputies to appear in her behalf. The rescue of Crafts, and the attempted rescue of Sims and of Burns, all occurred before the age of Personal Liberty Bills and statutes of treason, miss-called Acts of *Habeas Corpus*; and the Rosetta and Gaines cases both were decided before the capitol and the legislative halls of Ohio were prostituted to the wicked and incendiary purposes of domestic treason and discord. State Judges and courts have, indeed, before this, now and then called upon officers of the United States to appear at their bar, bringing with them the prisoners held in custody; and, in one instance, the Supreme Court of a State, and in another a tribunal of this city certainly not the highest in rank and dignity, and a Judge bearing a name not the most honored in military annals, assumed to overrule the Congress, the Executive, the inferior courts of the Union, the highest judicial tribunals of most of the States and the most respectable of the States, and the Supreme Court of the United States, and pronounce the Fugitive Slave Act of 1850 unconstitutional, null and void. But these things were done as in the green tree; these were the pioneers, the advance guard of the army of sedition and civil discord.

“Other States also have, indeed, enacted what, in the hour of madness and folly which confounds all distinctions and misapplies all names, they have chosen to call Personal Liberty Bills, organizing resistance to the authority and process of the courts of the Union. Instead of the bold and manly nullification of South Carolina, where resistance to what she deemed and declared unconstitutional legislation put on the form and assumed the virtues and the heroism of patriotism, New England set the example, and we have followed it, of instituting the petit treason of a small and contemptible warfare of process of writs and of counter-writs—a war not of soldiers and artillery, with the pomp and circumstance of ordinary warfare, but of sheriffs and constables and bum-bailiffs, and Justices of Peace and probate

judges, of marshals and deputy-marshals; a war of dirk-knives and single-barreled pistols and revolving six-shooting pistols, with or without powder and caps and ball; a warfare in which, just the reverse of what happened at the battle of Pavia, nothing is lost except honor. It is easy, indeed, to see, and melancholy to reflect, that this small and contemptible warfare of process must soon bring us to the sterner conflicts of regular and organized military array, when the armies of the State and of the United States shall meet in deadly and most bloody and most disastrous battle. We see now and hear but the beginning of the end. In other States, far removed from the mysterious line or parallel which separates the slave and the free States, where this insane and belligerent legislation prevailed, no case, happily, of collision has as yet occurred. But to us here in Ohio, most unfortunately, it has been reserved—as was and is inevitable from our position geographically, bordering nearly five hundred miles on the slaveholding States of Virginia and Kentucky—to exhibit the first example of that conflict of law and authority which the miscalled *Habeas Corpus* Act of 1856 has rendered inevitable. Here, just before and in the midst of us, behold the first fruits of this pernicious and baleful legislation. It was said the other day that for more than forty years, and until the nullification ordinance and act of South Carolina, no power to issue writs of *habeas corpus*, in cases such as this is, was conferred upon the Judges of the Federal Courts, and that for some years afterward it lay dormant and unexercised. Very true, very true; but legislation is always the offspring of the general or the special and temporary circumstances and necessities which surround us.

“For sixty-eight years, also, the people of Ohio lived happily, freely, prosperously, and in neighborly intercourse with her sister States and Territories. Without slavery in her own limits, she yet had no quarrel and waged no war with those who had. Slaves repeatedly escaped into her territory, and were always peaceably and quietly, and oftentimes without officer or warrant, recaptured and remanded. Ohio herself not many years ago, as I have shown, volunteered to enact a ‘fugitive-slave law,’ not less stringent, and certainly far more odious than the now accursed Act of 1850. But times have changed, and we are changed with them. Men, wise above what is written—wiser than the fathers; men of large ca-

pacify and a wisdom and sagacity more than ordinary, more than human — or, of intellects narrowed and beclouded by ignorance, bigotry and fanaticism, or seduced by a corrupt, wicked and depraved ambition, have discovered that the Constitution is all wrong, and its compacts all wrong, or rather that there is a higher law than the Constitution, and that discord is piety and sedition patriotism. They have resolved to annul and set at naught an important and most essential part of the Constitution and of its compacts, and to compel the Government of the United States to succumb to their resolves, or to bring the authorities of the State and of the Union into deadly and most destructive conflict. This was the spirit which dictated the statute — the Personal Liberty Bill — the so-called *Habeas Corpus* Act of 1856. There was no pretence of necessity for its enactment by reason of anything occurring in the ordinary administration of justice by the courts of the State. No ministerial officer of the Territory or State of Ohio had ever, in any one single instance during a period of sixty-eight years, refused to obey a writ of *habeas corpus*. But very recently a Marshal of the United States had refused obedience to the order of a State Court in such a proceeding; and that most eminent and upright Judge who for so many years has adorned the Supreme Bench of the Union — and of whom I may say, as Mr. Webster said of John Jay, when the spotless ermine of the judicial robe fell upon him it touched nothing not as spotless as itself — had justified him in the refusal and discharged him from confinement by order of the State Judge. And, moreover, a second time in a like case, the same marshal had declined submission to an order by another Court of this city — a Court of Probate, appointed to administer upon the goods and chattels of dead men — requiring him to release his prisoners, because the Fugitive Slave Act, under which he held them in custody, was unconstitutional and void; and again had been sustained in another forum and by another Judge, of whom I may not now speak in fitting terms of commendation and respect.

“Thus the firmness and integrity of the judiciary of the United States had so far triumphed in the conflict, and saved the laws, process and authority of the Union from violation and disgrace. The bulwark of the Constitution remained impregnable. Possession was found full nine points in the law. Certainly, therefore, if possession could be had, in the first in-

stance, of the bodies of the fugitives or others in custody, the great end of obstructing and defeating the constitutional provision for the reclamation of escaping slaves, and the Act in pursuance of it, would be attained. And, accordingly, as I have already established, for the first time within the history of this State, or indeed of any other State, the writ of personal replevin in the case of prisoners held under judicial process, was introduced into our legislation, and one officer commanded to take by force from another officer the prisoners held in his custody. Collision among State officers was not expected, and indeed could not well arise. But in the case of independent sovereignties exercising authority and executing independent process within the same territory, it was expected and intended — I stand justified by the facts in affirming it — that a direct and absolute conflict would and should occur. To this State of Ohio, therefore, I am sorry to say — in this District of the State — and to the county officers of Clark, Green, and Champaign, it has in an evil hour been allotted to exhibit the first example of the collision which was inevitable between the two governments to which, in equal right though unequal degree, the sovereignty of the people of this State has been committed. The case has arisen, the direct issue has been presented, and it must be met. It is a question of power between these two depositaries of popular sovereignty. I repeat it, a question of power, not of right. When South Carolina undertook to nullify a statute of Congress, and to set herself in array against the Government of the Union, she made it a question of constitutional right. Recognising her duty to obey the Constitution and all laws in pursuance of it, no matter how odious or unjust, she denied the power of Congress to enact the statute. But the learned doctors and professors of modern nullification — the whole *collegia ambubaiarum et pharmacopolæ* — forced to admit the constitutionality of the Fugitive Slave Act, or at least the right of the people and States of the South, under the Constitution, to demand of us the reclamation of their fugitives, appeal to a higher law than the Constitution, and denounce the rendition of fugitives from slavery, under any law or under any constitution, as against this higher law of conscience, and therefore null and void. Why have they who control just now the legislation of the State, sought to bring about this conflict between the courts and ministerial officers of the two



governments, and by State statutes and State process, through the machinery of writs of *habeas corpus* and replevin, by sheriffs, and constables, and probate judges, and justices of the peace, to harass, impede and obstruct or prevent the execution of this law? What argument have we heard here in this court? Not that the Act is unconstitutional. If it were, the process held by these deputies was void process, and they were engaged in the commission of an illegal act. That would have been a conclusive answer to this whole proceeding. But it has not been alleged. That question is settled — absolutely put at rest. Mr. Webster said, six years ago, that no ‘respectable lawyer’ would maintain the unconstitutionality of the Fugitive Slave Act of 1850. I am confident your Honor would not have heard an argument upon the question. No; we have been told that the law is harsh, that it is cruel and unjust, that it is odious and distasteful to the people. This is the apology for personal liberty bills and acts of *habeas corpus*, so-called, and all the other hindrances and obstructions which have been interposed to its execution. For this cause, and this cause only, it has been declared — not here, certainly, but elsewhere — that it cannot and shall not be put in force, at least within the ‘sovereign States’ of Clark, Green, and Champaign; that wheresoever else it may be obeyed, there it is and shall remain a dead letter forever. Upon pretexts and by appeals and seditious declarations such as these are, the people, or a part of the people — I trust a very small part, but enough, nevertheless, to do, or to threaten, great mischief — have been stirred up to the madness and folly of setting themselves in array against the Government of the United States, and under the color and the forms of State statutes and State process, of resisting the execution of its laws and the process of its courts, and thus of precipitating upon us the crisis which wicked and designing men have so long labored to bring about.

“I have no instruction, may it please your Honor, here, before this tribunal, to discuss the question whether the Act of 1850 be justly obnoxious to these reproaches or not. With that question this Court has no concern. Your Honor, I am sure, is no authorised expounder of the ‘higher law,’ as it is taught in this day, and still less sit here to enforce it. But I may be permitted to suggest that in its present form, substantially, it has been the law of the land for more than sixty years; that by

nearly one-half of the States of this Union it is regarded as both reasonable and just; by a large portion of the people of all the States as alike necessary and proper, and by all the States, except one, and by all 'respectable lawyers' (I quote the words of Mr. Webster: *non meus hic sermo est*; he is responsible for it, not I) as in strict conformity with the Constitution of the Union. If it be indeed harsh, cruel and unjust, it is not because it provides means improper or more than adequate to attain its end—they have indeed proved scarce sufficient as they are—but because it remands the 'panting fugitive' to slavery. 'The head and front of its offending hath this extent: no more.' If so, then it is the Constitution which is harsh, cruel and unjust. It is the Constitution which is odious and distateful to that portion of the people of this State who entertain these sentiments, and who make them the reason or the pretext for their resistance to the process and authority of the United States. It is the Constitution which must be abrogated or nullified, and they who execute or who would maintain and defend it, made odious and set at defiance.

"But these are doctrines and notions which find no countenance or support within these walls. Here at least they may not, and will not, be hearkened to with patience. I have a right, then, to repeat again that this is solely a question of power between the two governments. And it is fortunate perhaps for us that this issue is thus clearly and directly presented here, and in this case. It is here, and here in all its breadth and fulness and extent—a direct and inevitable conflict of law and process between the State and the United States. It is here, the first, the natural, the necessary fruits of the insane and aggressive legislation which for some years has prevailed in several of the States of this Union—itsself both the effect and the cause, the offspring and the parent of the violent and highly excited public sentiment which has already resulted, first, in this resistance to the process of your courts, and finally in the melancholy and murderous tragedy of the other day. The exigence of the writ to the marshals commanded them to take and bring the bodies of their prisoners to Cincinnati, before a Commissioner of the United States. The exigence of the writ to the sheriff commanded him to take these same prisoners from the custody of the marshals, and carry them to Urbana before a State Judge. Both could not be obeyed. Resistance and collision were

inevitable, and they followed, aggravated and embittered exceedingly by the violent and fanatical hostile sentiments of those who pursued and denounced the marshals as ruffians, while they encouraged and applauded the prisoners as the martyrs of liberty.

“The case is here, and to the marshals concerned it is of the last and most vital importance. Their liberties are at stake. If the Government of the United States is powerless or is unwilling to protect them in the discharge of the duties which it has imposed upon them, it is easy to see what the result of a trial must be in the midst of the deep excitement which prevails in the counties where these acts were done, stimulated as that excitement has been day by day through the public press, in public assemblies, and upon the public highways, by the most wilful and reckless misrepresentation of facts, and the most violent denunciation of these deputies as pirates and outlaws. In ordinary times and upon other subjects the people of the counties concerned are no doubt as honest, as intelligent, as upright as the people of any other counties. But in this case and upon the question involved in it, they have been wrought up to madness and folly. In resisting the execution of the Fugitive Slave Act, they think they do God’s service. With them, or rather with the honest but misguided portion of them, it is a sort of superstition—a species of religious fanaticism—a motive and an element in all popular commotions, as all history attests, the most powerful and controlling. There are, doubtless, hundreds among them, as among others elsewhere, who in the crusade against this law of the United States, are ready to adopt and repeat the battle-cry of the Saracens, ‘Paradise is before us and hell-fire at our backs!’ In such a state of public sentiment I have no confidence in any class of men. It is this self-same spirit which in every age has lighted up the fires of persecution, and put thousands to death with every aggravation of torture and cruelty. It is this spirit—the true spirit of the ‘higher law’—which sets at defiance every claim of justice, every call of humanity, every law of God, of nature and of man. In the ninth century, in the earlier ages of the Mohammedan faith, other religions being also tolerated, the Fire-worshippers of Persia possessed a temple in the city of Herat, which in the midst of a religious tumult was attacked and razed to the ground, and

a mosque erected upon the site where it had stood. The Magi appealed for justice and restitution to the Caliph; but four thousand Mohammedan citizens of Herat, of a grave character and mature age, deliberately and unanimously swore that the idolatrous temple never had existed. Human nature is the same in every age. The people of the times and the country we live in are no better by nature than the people of any other country or any other period of the world's history. The people of the counties of Clark, Green, and Champaign, though no worse, are no better either than the people of other counties and States of this Union; and pardon me, gentlemen, they have already prejudged this case and pronounced upon the guilt of these deputies.

“But great, may it please your Honor, as their stake in this question may be personally, it is not they who are chiefly concerned. The whole people of the District, of the State, of the United States, of other nations, and of the ages which shall succeed the age we live in, are alike and most profoundly interested in the result. It is a question of the peace and the perpetuity of our Government, and with it of free government all over the globe, and in all coming time. If any one State of this Union may disregard or annul any one law in pursuance of it, because in its judgment it is harsh, cruel and unjust, any other State may, in like manner and upon like pretexts, disobey and set at naught any other part of this same Constitution, or any other law under it. If the people or part of the people of Ohio may prohibit or practically prevent the execution of the Fugitive Slave Law within her limits, the people, or a part of them, of South Carolina, may also annul and disobey the Acts to abolish the slave trade; and by State statutes and State process, by *habeas corpus* and *replevin*, through her ministerial officers and her courts, vex, harass, and finally beat down and render powerless the judiciary of the Union. How long, then, can the governments of either the States or the United States endure; and what, above all, are they worth while they do endure? The end of these things is death.

“But I am confident that this Court is prepared, that the whole Government of the United States is prepared, to meet this issue just as it is presented. And I tell Mr. Attorney-General, and through him the Executive of the State, whose vain defiance he has this day borne here to this presence, that

it is not to be awed by threats, nor to be put down by denunciation, nor to be turned aside from its firm purpose to enforce the laws and the process of its courts, in any event and at all hazards, and without respect to persons or to States, whether those States be Rhode Island or Ohio. And whensoever this Court, or any other Court of the Union, shall have judicially ascertained and declared the rights and powers of the Government to execute its laws and its process in any pending case, I know that the Executive of the Union stands prepared, faithfully, fearlessly and sternly, if need be, and by the whole power of the Government, to preserve, protect and defend the Constitution from all the assaults of its enemies."

We have presented a considerable portion of this speech because it affords a clear view of the interesting questions involved in the case, and gives some idea of the sectional feeling and disregard for the laws of the United States which existed among the Abolitionists at that time in the State of Ohio. There seemed serious danger of an actual collision with the General Government; and it is said that Governor Chase consulted with officers of the State Militia upon the subject, and actually made arrangements for armed hostility. The matter was also discussed in President Buchanan's cabinet, and it was determined by the President that the authority and dignity of the Government should be maintained at all hazards. The storm however blew over, the Deputy Marshals were discharged by order of the Court, and were not again molested; but the Abolitionists succeeded in their principal object, for the negroes were never re-captured.

On the first of December, 1857, Mr. Vallandigham, relinquishing for a time his legal practice, now large and lucrative, repaired to Washington to prosecute the contest for his seat in Congress. There he remained nearly six months, his patience

and temper severely tried by the long delay. This delay was occasioned by the division which had arisen in the Democratic party upon the Lecompton question. For months this question agitated Congress and the country, and on account of the complications arising from its discussion, the contested election case was delayed and the result for a long time doubtful. When the case came up before the Committee of Elections, Mr. Vallandigham was represented by Col. Geo. W. McCook. He also filed a very elaborately prepared brief, and made a speech before Congress in support of his claims which was regarded as very able. The majority report of the Committee drawn up by the Hon. L. Q. C. Lamar, of Mississippi, was in favor of the contestant, and made the following summary of the result:—

The whole number of votes cast for Mr. Vallandigham, as appears by the original returns, .....	9,319
To this add three votes improperly rejected, .....	3
	<hr/> 9,322
Deduct for illegal votes cast for Mr. Vallandigham .....	15
	<hr/> 9,307
Correct vote.....	9,307
The whole number of votes cast for Mr. Campbell, as appears by the original returns, .....	9,338
Add one ballot improperly rejected .....	1
	<hr/> 9,339
Deduct for illegal votes .....	55
	<hr/> 9,284

Leaving a majority for the contestant of 23.

On the 25th of May, 1858, this report was adopted by a vote of 107 to 100, and Mr. Vallandigham was admitted to a seat in Congress as the Representative of the 3d District of Ohio, and was immediately sworn in. Soon after, Congress adjourned, and he returned to his home.

A correspondent of the Cincinnati *Enquirer* presents the following account of the closing up of this contested election case :—

“I have not noticed in any Western paper an account of the closing up of the contested election case of Vallandigham vs. Campbell. This case has attracted attention from all parts of the country, and a detail of its *finale* may be interesting to your readers.

“On Thursday, the 20th inst., Mr. Harris, Chairman of the Committee on Elections, reported from the Committee that the Minnesota members were entitled to be sworn in, reserving the right to contest in the future. Before this, when the credentials were first presented, on motion of Mr. Sherman, of Ohio, and for the purpose of preventing their being sworn in before the Vallandigham and Campbell case should come up, the credentials were referred to the Committee on Elections.

“They were tied up there a week for the same purpose, and when reported back they desired more time, under the pretence of printing the reports ; and when the previous question was sustained on the passage of the resolutions admitting them, the Republicans then began to ‘filibuster,’ by a series of dilatory and embarrassing motions, trying to force a postponement of the admission, so as to try to slip the Ohio case in ahead ; and this system of tactics was kept up from Thursday until Saturday at a great expense, and to the detriment of the public business at the close of the session. But they were defeated, and the Minnesota members came in.

“However, on the next Tuesday, when the Ohio case came up for the vote, and it became evident that Mr. Vallandigham would get the seat, they commenced again, under the lead of Mr. Sherman, to ‘filibuster,’ but finding the temper of the House against it, they subsided, and Mr. V. was at once declared to have been duly elected, and was sworn in.

“Mr. Vallandigham had many warm friends and supporters in the Senate and House throughout the session ; among them Stevenson, Phillips, and Boyce, of the Committee on Elections, and Stephens, Houston, Faulkner, John Cochran, Hughes, J. Glancy Jones, Bocoek, and others. But he is especially indebted, I think, to Mr. Lamar, of Mississippi, whose able report was very effective in sustaining the case, and whose

earnest, vigorous, ready and conclusive replies, in a running and skirmishing debate of several hours, demonstrated the fact that he is not only a scholar and a thinker, but a keen, ready and acute debater, and destined to become a leader in the House. His speech was a success in that sort of debate which is more valuable in a deliberative assembly than a thousand set speeches and essays.

"The speech of Mr. Stevenson of Kentucky was also a very able argument, as was to be expected of one whose reputation as a sound lawyer stands deservedly high here and at home.

"Many encomiums were made upon the argument of Mr. Vallandigham. Mr. Stephens, of Georgia, pronounced it the best 'first effort' he ever heard in the House, and Mr. Groesbeck complimented the argument as evincing fine legal ability and merit. Mr. V. spoke in a clear, easy and pleasant style, entirely free from affectation, and received close attention from the House and a large crowd of spectators in the galleries.

"Throughout the whole contest his fair and courteous conduct and personal worth have created for him many warm friends, who, in common with the entire Democratic side of the House, were rejoiced at his success."

Shortly after his return home he was again announced as a candidate for Congress, without the formality of a convention, but designated unanimously by the Central Committees of the three counties, who acted in accordance with the well-known wishes of the Democracy of the District; and in October was re-elected by a majority of 188 over Mr. Campbell, who was again his competitor. This election to the 36th Congress, and his success a few months before in the contest for a seat in the 35th, were highly gratifying to Mr. Vallandigham. For years he had been unsuccessful in all his political aspirations. The principal cause of this was his stern opposition to slavery agitation; but there were other causes. When only twenty years of age, and about to enter upon his active political career, he remarked to his eldest brother that he was determined to be an



honest politician. His brother, though highly approving his resolution, suggested to him that he had a very hard road before him — that in all probability he would fail; to which he replied in his earnest and emphatic manner: — “If I cannot succeed, pursuing an honest and upright course, *I am willing to fail.*” That course he did pursue through life; and although he did not entirely fail, though his honorable ambition was to a certain extent gratified, he would have been much more successful by pursuing a different course. Had he been willing to consult policy, to court popular applause, to yield sometimes that which he believed to be *right* to that which appeared to be *expedient*, riches and honors and offices would have been at his command. But his unbending determination to follow the course he had originally marked out, and his bitter hostility to Abolitionism, because he saw from the beginning that it would ultimately result in civil war, and perhaps a dissolution of the Union, were for years an insurmountable barrier to his political advancement. To this he refers in his speech of January 14, 1863: — “Sir, I am one of that number who have opposed Abolitionism, or the political development of the Anti-Slavery sentiment of the North and West, from the beginning. In school, at college, at the bar, in public assemblies, in the Legislature, in Congress, boy and man, as a private citizen and in public life, in time of peace and in time of war, at all times and at every sacrifice I have fought against it. *It cost me ten years’ exclusion from office and honor, at that period of life when honors are sweetest.* No matter; I learned early to do right and to wait.”

During the time he was detained at Washington, awaiting the result of his contest for the seat in Congress, he passed but

few idle moments. He constantly attended the sittings of the House, and carefully studied the laws and observed the usages of parliamentary bodies ; and this he continued to do during the session of 1858-9, taking but little part in the debates. The natural result of this was that he became better acquainted, more thoroughly conversant with the rules governing the proceedings of deliberative bodies than almost any public man of his day. This fact was well known and recognised in the Thirty-sixth and the Thirty-seventh Congress, so that during the session of 1862, a member, neither personally nor politically friendly to him, said :—" I am always uneasy when Vallandigham is out of his seat, lest some mischief should be slipped in contrary to rule." His knowledge of the rules of the House and his skill in their application, and clear understanding of parliamentary law, were of great value to himself and his party during the Thirty-seventh Congress, when the Democracy was so powerless for lack of numbers. Naturally quick-tempered and impatient, he yet exercised such a restraint over himself that these qualities were seldom exhibited in his congressional contests ; and his coolness and perfect self-possession amid the most exciting scenes and most stormy debates, surprised his friends, and commanded the respect and even the admiration of his political foes.

During the session of 1858-9, as we have already remarked, Mr. Vallandigham did not take a very active part in debate ; on two or three occasions, however, he briefly addressed the House.

On the 14th of December, 1858, he made a few remarks in favor of the resolution to impeach Judge Watrous, of Texas, who was accused of corruption in office for private gain. He

drew the distinction between cases of impeachment in England and the United States. He claimed that all analogies drawn from the rules and practice governing impeachments in England, tended only to mislead and confuse in the consideration of this case. In England the punishment is the same as upon conviction in any other court, extending even to the death penalty. Not so under our Constitution; none but civil officers are subject to impeachment here, and the judgment—not the *punishment*; for that word is not used—extends no further than to removal from office. The object of impeachment in England is the punishment or suppression of crime; in this country, first, restraint upon public officers, and secondly, the removal of such as shall in any manner misdeemean. No great crime need be alleged to justify it here; it is sufficient to warrant it that a misdemeanor is charged.

“What then,” said he, “is judicial misbehavior or misdemeanor? That, Sir, depends wholly upon the standard which you shall fix for judicial character and conduct. Mine, I confess, is the highest. I would have both as pure as the ‘fann’d snow that’s bolted by the northern blasts twice o’er,’ and as spotless as the ermine which was once the emblem of judicial purity. The integrity of the Judge ought to be above suspicion in his great office. I would have him the *sanctissimus judex* of the Romans; for to the litigant in his court he stands in the place of God. Save impeachment, he is subject to no responsibility except an enlightened conscience and a religious sense of duty. Theoretically, indeed, the judiciary is in every country, to a great extent, of necessity an arbitrary power. Even when hedged in by law, there yet remains the vast field of ‘judicial discretion; and beyond all lies the boundless ocean of the ‘interpretation of laws’—the great business of the Judge. Sir, there are ten thousand ways in which a corrupt, a weak, or a prejudiced Judge, a Judge hostile or friendly to the litigant, or what is more common the lawyer, may pervert justice, pollute its pure fountains, and do foul wrong in the

cause, and yet none but he who has suffered know it. These are the false weights which it is so easy, unperceived, to throw into the scales of justice. Add now to all this that the judicial power, like the invisible and impalpable air which surrounds, penetrates everywhere and affects every relation of life; that it extends even to life itself, to liberty, to property in all its infinite complications; to marriage, divorce, parentage, master and servant, and finally pursues us even after death in the distribution of estates; nay, that the very monuments of the dead, the dull cold marble in which they sleep, are the subjects of its destroying or protecting hand. There is no department of the Government therefore which is so liable to abuse as the judiciary; but to the honor of America and human nature be it said, there is none where so little abuse prevails. In seventy years this is the first example of the impeachment of a Judge demanded because of alleged corruption in office for private gain. Arbitrary and dissolute Judges have indeed been impeached, though but in two or three instances during that long period; yet none for corruption. But if infrequent, it is nevertheless the most atrocious, and in its consequences to the judiciary and to the public the most dangerous crime which a Judge can commit; for 'there is no happiness, there is no liberty, there is no enjoyment in life, unless a man can say when he rises in the morning, I shall be subject to the decision of no unjust Judge to-day.'"

After remarking that the members of the House were not the judges, the grand jurors, nor exercising judicial power, nor even acting in their representative capacity, but that their province was simply to accuse and to carry on the prosecution against the party accused, he urged that the House should not be slow to listen to complaints of those who invoke its process to summon the accused into Court.

"If, indeed, the case be palpably frivolous, or the prosecution plainly malicious, it is our duty promptly, if not indignantly, to refuse. Can any one, will any one say that this is such a case? But it has been said that there is too much doubt and perplexity in this case, and that therefore there ought to be

no impeachment. Not so. We have no power to try and acquit; and these very perplexities and doubts, if indeed any such there are, especially after the accused has been heard fully in his defence, are of themselves enough to justify this House in sending the case to the Senate for adjudication."

He concluded by saying:—

"For one, Mr. Speaker, wheresoever else in this Government corruption may come, or how far soever elsewhere it may be carried, I demand that there shall be preserved one citadel at least within which public virtue may retire and stand intrenched."

On the 24th of February, 1859, he addressed the House of Representatives upon the Tariff, attacking the Tariff of 1857. He said he was no friend to the Act of 1857; that it was peculiarly a manufacturer's tariff, and a highly protective tariff too, the most protective tariff ever enacted. It protected in two modes. It admitted the raw material free, and it lays also a duty upon the manufactured article. He then referred to the manner in which the interests of his constituents and the farmers, especially the wool-growers of Ohio, had been disregarded in the Act of 1857.

"Ohio," he said, "is peculiarly an agricultural State. With two millions and a half of people, she has twenty-five millions of acres: twenty millions occupied by or attached to farms; eleven millions actually cultivated; four hundred thousand land-owners; a greater number of farms and more tillable surface, proportionally, than any State in the Union. The cost value of her land is \$600,000,000; her agricultural products worth \$132,000,000, equal to the whole cotton crop of the South; and her entire taxable property is \$900,000,000. She is the first wheat, the first wool, and the first corn-growing State; the first wine-producing also; and as my Cincinnati colleagues will attest, the foremost in the production of swine. Her animal products alone equal \$40,000,000, and the value

of her butter, poultry, and eggs would of itself support half the State Governments of New England. And yet Ohio is a part, and a small part only, of the great Mississippi valley, that most wonderful of all portions of the globe, the very Garden of Eden in the new creation—in the political apocalypse of the Bishop of Cloyne, ‘Time’s noblest empire!’ the seat, too, doubtless, of empires older than Thebes, prouder than Tyre, nobler than Nineveh, but whose memorials have perished even beyond ruins or tradition; yet destined once again to become the seat of an empire to which you, ye proud men and wise men of the East, will yet come bearing your frankincense and your tribute.”

He then, by reference to statistics, exhibited the injustice done to the wool-growing and other interests of the West by the Tariff, and announced that he was not demanding “protection” for his people, but simply just and equal taxation. He was very often interrupted during his speech by various members who were in favor of the Act of 1857, whose questions he answered promptly and satisfactorily. He concluded by giving notice that should any tariff bill be reported during the session, he should move as a substitute that the tariff of 1846 be revived for two years, so that meantime a revision of the Act of 1857 might be had, adhering to the principle of *ad valorem*, and also to all the other rules of equal and just taxation.

At the close of the session Mr. Vallandigham returned home and spent the summer and fall in recreation, in attention to professional business, and to matters pertaining to his office as a member of Congress. In prosecution of the latter, about the middle of October he visited Washington.

On Sunday night, the 16th of October, 1859, at Harper’s Ferry, Virginia, the great civil war between the North and the South was commenced. On that night John Brown, attended

by eighteen of his comrades, crossed the Potomac River from the Maryland shore, and captured the United States Arsenal, regardless of the Stars and Stripes whose folds were supposed to protect it. Armed parties were then sent out to capture prominent slaveholders in the immediate neighborhood, and to announce the glorious tidings of freedom to the slaves. The first indication of their presence to the citizens of the town was on the arrival of the mail train going East, on the Baltimore and Ohio Railroad, about half-past one in the morning. When the train arrived it was stopped by a guard of two men, well armed, who had orders from John Brown to let no one pass over the bridge. The first man they killed was a free negro named Hayward, an employee: they shot him just after the arrival of the train, and he lingered in great agony until after daylight, when he died. The train of cars, after being delayed some hours, was permitted to go on its way, but neither the railroad employees nor the passengers gathered any very clear idea of the cause of their detention. When daylight came, the inhabitants of the village, as fast as they appeared on the street, were captured and carried to the engine-house, a building very near to the Arsenal. Many slaves had by this time been brought in, and pikes were placed in their hands by the insurgents, and they were directed to strike for freedom; but the astounded and frightened Africans gazed with dilated eyes and terror-stricken countenances at the arms provided and at the stern-looking body of men who surrounded them, and showed no disposition to take part in the war for "liberty." The morning was far advanced before the presence of the insurgents was generally known in the village. The news then flew like wild-fire, and from all directions the people flocked with arms

in their hands to attack the invaders. Before night, all of Brown's party who were not in the engine-house with him, except those on the Maryland side, were either killed or captured, and he was surrounded. Three citizens of Virginia were killed and several wounded by Brown's men during the course of the day. Meanwhile intelligence of the affair had reached Washington, and the marines on duty at the Navy-Yard were ordered to the scene of action. They were under command of Col. Robert E. Lee, afterwards the great commander of the Southern army. The marines arrived at Harper's Ferry on Monday night. Early on Tuesday morning Colonel Lee sent Lieutenant J. E. B. Stuart (subsequently the dashing commander of the cavalry of the Army of Northern Virginia) demanding a surrender. Brown refused to surrender, unless upon his own terms. Immediately the order to storm the engine-house was given, and executed with promptitude. One marine was killed and one wounded by the insurgents in the assault. The contest was, however, quickly ended. The leader, John Brown, was cut down by the sword of Lieutenant Green, and the insurgents who resisted were bayoneted. In less than thirty-six hours the insurrection was put down; but during that short time, John Brown's party killed five men and wounded nine, and lost themselves ten men killed. The excitement and apprehension in Virginia were, however, very great, which afforded a portion of the Republican press foundation for sneering comment. Many remarks were made upon what was termed the cowardice of old Virginia, frightened out of all propriety by eighteen men. Not quite three years afterwards, however, the people of old Virginia considered themselves avenged when nearly 12,000 Northern troops, at the



same place, well fortified, splendidly armed, with seventy-three pieces of artillery, surrendered to the Virginian, Stonewall Jackson, who had but few more men and much less artillery—surrendered too when 100,000 men were hastening to their rescue.

Mr. Vallandigham, who was in Washington the night that John Brown made the attack upon Harper's Ferry, started thence to return home on Monday morning. When he got to Baltimore he heard of the insurrection, as it was termed, and was delayed in that city by the unsettled condition of affairs until Wednesday morning the 19th of October. He arrived at the scene of the late conflict about noon, and determined to remain there until the evening train. Filled with many sad forebodings as to the future, he wandered around the town, making inquiries of citizens and soldiers about the late events. At last he returned towards the railroad bridge, and stood surveying, in deep reflection, the magnificent scenery around him. As he stood looking southward, his mind busy with anxious thoughts, if the future had been opened to his gaze, what a wonderful panorama of scenes to be enacted in and around this already historical place would have been presented to his vision! Beyond the Bolivar heights in front of him lay the beautiful Shenandoah valley. In that beautiful valley he might have beheld the chivalrous Ashby at the head of his brave troopers, careering upon his white horse, or meeting with a calm smile the fatal shot which stretched him on the plain; then, too, the thousands of blue coats faring southward under General Banks, or meeting in dread battle-array under Shields the fierce attack of Stonewall Jackson at Kernstown; the glittering bayonets of Fremont's hosts as they impatiently pushed forward to meet

their fate at Cross Keys ; the ragged legions of "Stonewall" as they gathered around Harper's Ferry from the South, already having closed the outlets east, west, and north ; the white plume of Stuart, and the long line of his gay cavaliers returning after the raid to Chambersburg ; the valiant Averill with his Northern and Western *saberers*, hard pressed but not dismayed, leader of many a raid down the valley ; the gray ranks of the South surging over the intrenchments at Winchester, and the hurried flight of Milroy's forces ; the clanking of sabres and the wild rush of horses when the gallant Mulligan fell foremost in the fray, so dearly loved by his friends, so highly respected by his foes ; the booming of artillery and the fierce yell of Sheridan's troopers as they charged at Opequon and sent Early whirling down the valley, and "old Jubal," never despairing, in the mists of early morning bursting upon his unsuspecting foe, for a time carrying everything before his impetuous attack ; the famous day that Sheridan's ride is said to have saved his army from destruction ; the reckless riders of Mosby, and the restless rovers of McNeill, moving stealthily through the shades of the forest ; the beautiful valley wet with blood, smoking with conflagration, and swept by fire, sword, and famine as by the besom of destruction, yet consecrated by glorious memories, the halo of romance gathering with the years around its mountain walls, every glen its history, each cross-road its story, and every household with its precious relic of "the times which tried men's souls." Behind him lay South Mountain, the autumn glories of its numberless forest-trees painted in gorgeous dyes by Nature's skilful hand, awaiting the day when upon its slopes, amidst the roaring of cannon and rattle of musketry, the men who wore the blue and those who wore the gray should be laid low, "in

one red burial blent." And there too, but a short distance, was the pleasant valley of the Antietam, whose bright waters were yet to be crimsoned with brothers' blood, and around whose hills, now wreathed in the soft haze of Indian summer, the darkening smoke, the sulphury pall of battle soon should gather; and eastward a little way, the Monocacy tripping lightly over its pebbly bed to join the Potomac, where now indeed it was "all quiet"—the Monocacy through whose mimic waves the Louisiana brigade of Early's army pressed on to victory in the bright sunlight of July 1864. As he stood there in deep reflection, dreading the coming years but little dreaming of the magnitude of the mighty struggle approaching, and hoping his apprehensions might prove false, Colonel Robert E. Lee came up, and he was invited to go and see old John Brown, to whom, in later days, John Wilkes Booth was the Southern complement.

So, in company with Senator Mason, Hon. C. J. Faulkner, and General Jeb Stuart (Lieutenant only then), he entered the room where "Ossawatimie" Brown and his devoted follower Stevens lay. Brown was lying on the floor, his face still disfigured with blood from the sabre-wound in his head, and begrimed with powder and dirt, suffering pain, but full of life and spirit. He was anxious to talk, not the least frightened, and his courage and composure extorted respect from all, and filled Mr. V.'s mind with indignation as he pictured to himself the cowardly miscreants in high places who had urged on a brave, but misguided and almost insane, man to deeds of cruelty and bloodshed, whilst they in perfect security sat in cushioned chairs a thousand miles away, conning speeches upon the Slavery question, raising subscriptions to

buy rifles and ammunition to carry on war in the South, and neglecting or oppressing the poor and wretched around them. Stevens, a large, rather good-looking, light-complexioned, light-haired, heavy-bearded man, with bright restless gray eyes, his gaze wandering from one to another of those around him, lay near his chief. He was suffering from three gunshot wounds, and occasionally groaned from pain. A considerable number of persons were in the room gazing with curiosity upon the prostrate forms, but quiet and orderly in demeanor. Brown seemed anxious to converse, and talked freely to any one who addressed him. Mr. Vallandigham conversed a few minutes with him, and from papers published about the time, and from information derived from Mr. V. himself, the writer thinks the subjoined is substantially the conversation which occurred. While Mr. V. was talking to him, several others asked him questions and received answers, some of which are not mentioned in this report of the interview.

Brown was talking about the conflict when Senator Mason and Mr. Vallandigham approached him. Senator Mason said to him: "How do you justify your acts?"

*Brown.*—"I think, my friend, you are guilty of a great wrong against God and humanity. I say that without wishing to be offensive."

Some person remarked, "That may be true possibly. But suppose it is, you are not responsible for it; you are not a citizen of Virginia, and it is none of your business, so it don't interfere with you."

*Brown.*—"It would be perfectly right for any one to interfere with you at any time and all times. I hold that the Golden Rule, 'Do unto others as you would others would do

unto you,' applies to all who would help others to gain their liberty."

*Lieut. Stuart.*—"But you don't believe in the Bible?"

*Brown.*—"Certainly I do."

*Mr. Vallandigham.*—"Where did your men come from? Did some of them come from Ohio?"

*Brown.*—"Some of them."

*Mr. V.*—"From the Western Reserve, of course? None came from Southern Ohio?"

*Brown.*—"Oh yes; I believe one came from below Steubenville, down not far from Wheeling."

*Mr. V.*—"Have you been in Ohio this summer?"

*Brown.*—"Yes, Sir."

*Mr. V.*—"How late?"

*Brown.*—"I passed through to Pittsburg on my way here in June."

*Mr. V.*—"Were you at any County or State fairs there?"

*Brown.*—"I was not there since June."

*Mr. V.*—"Were you ever in Dayton?"

*Brown.*—"Yes, I must have been."

*Mr. V.*—"This summer?"

*Brown.*—"No; a year or two since."

*Senator Mason.*—"Brown, does this talking annoy you at all?"

*Brown.*—"Not in the least."

*Mr. V.*—"Have you lived long in Ohio?"

*Brown.*—"I went there in 1825. I lived in Summit County, which was then Trumbull County. My native place is York State."

*Mr. V.*—"Do you recollect a man in Ohio named Brown, a noted counterfeiter?"

*Brown.*—"I do; knew him from a boy. His father was Henry Brown, of Irish or Scotch descent; the family was very low."

*Mr. V.*—"Have you ever been in Portage County?"

*Brown.*—"I was there in June last."

*Mr. V.*—"When in Cleveland, did you attend the Fugitive Slave Law Convention?"

*Brown.*—"No; I was there about the time of the sitting of the court to try the Oberlin rescuers. I spoke there publicly on that subject; I spoke on the Fugitive Slave Law, and my own rescue, of course. So far as I had any reference at all, I was disposed to justify the Oberlin people for rescuing a slave, because I have myself forcibly taken slaves from bondage. I was concerned in taking eleven slaves from Missouri to Canada last winter. I think I spoke in Cleveland before the Convention; do not know that I had any conversation with any of the Oberlin rescuers. Was sick part of the time I was in Ohio; had the ague. Was part of the time in Ashtabula County."

*Mr. V.*—"Did you see anything of Joshua R. Giddings there?"

*Brown.*—"I did meet him."

*Mr. V.*—"Did you consult with him?"

*Brown.*—"If I did I would not tell you, of course, anything that would implicate Mr. Giddings, but I certainly saw him and had a conversation with him."

*Mr. V.*—"I don't mean about this affair of yours, I mean about that rescue case."

*Brown.*—"Oh yes, I did hear him express his opinion on it very freely and frankly."

*Mr. V.*—"Justifying it?"

*Brown.*—"Yés, Sir; I do not compromise him by saying that."

Here a bystander asked him if he did not go out to Kansas under the auspices of the Emigrant Aid Society of New England?

*Brown.*—"No, Sir; I went under the auspices of Old John Brown, and nobody else."

*Mr. V.*—"Will you answer this question? Did you talk with Giddings about your expedition here?"

*Brown.*—"No, Sir, I won't answer that, because a denial of it I would not make, and to make an affirmation of it I should be a great dunce."

*Mr. V.*—"Have you had any correspondence with parties in the North on the subject of this movement?"

*Brown.*—"I have had correspondence."

Mr. Vallandigham now walked away, and a bystander, to Mr. V. unknown, commenced a conversation with Brown, in which among other things he asked the latter whether he considered his late attempt to forcibly liberate the slaves was a religious movement? To this Brown replied that in his opinion it was the greatest service a man could render to God, and that he considered himself an instrument in the hands of Providence. He was asked by another man upon what principle he justified his acts? Brown responded, "By the Golden Rule. I pity the poor in bondage: that is why I am here. It is not to gratify any personal animosity, or feeling of revenge, or of a vindictive spirit. It is my sympathy with the oppressed and wronged, that are as good as you and as precious in the sight of God."

*Bystander.*—"Certainly; but why take the slaves against their will?"

Brown answered with great warmth, "I never did."

*Bystander.*—"You did in one instance I know of at least."

Stevens here spoke up and said, "You are right in one case. In one case I know the negro wanted to go back;" and then addressing himself to Brown, "Captain, the gentleman is right." Brown made no further remark upon the subject.

Mr. Vallandigham, who had approached Stevens when he commenced speaking, now asked him: "How recently did you leave Ashtabula County?"

*Stevens.*—"Some months ago. I never lived there any length of time, but have often been through there."

*Mr. V.*—"How far did you live from Jefferson?"

Brown advised Stevens not to answer this question, and Stevens was accordingly silent. He turned over with a groan and seemed to pay no further attention to those around him; he was evidently suffering greatly from his wounds, although they had been well attended to and skilfully dressed.

*Mr. V. to Brown.*—"Who were your advisers in this movement?"

*Brown.*—"I have numerous sympathisers throughout the entire North."

*Mr. V.*—"In Northern Ohio?"

*Brown.*—"No, no more than anywhere else in all the Northern States."

In reply to a question asked by one of the gentlemen standing near, Brown then said he had given up the idea of securing freedom to the negroes by moral suasion brought to bear on their masters; said he, "I don't think the people of the Slave States will ever consider the subject of slavery in its true light until some other argument is resorted to than moral suasion."



*Mr. V.*—"Did you expect a general rising of the slaves in case of success?"

*Brown.*—"No, Sir, nor did I wish it; I expected to gather strength from time to time, then I could set them free."

One of the bystanders hinted that Brown had a further object in view than "freeing the darkies," and referred to the taking of Col. Washington's watch. Brown said, "Oh yes; we intended freely to have appropriated the property of slaveholders to carry out our object. It was for that, and only that; we had no design to enrich ourselves with any plunder whatever." Mr. Vallandigham then inquired about his wound, and seeing the surgeon coming to dress it, left the room.

This interview made a very deep impression upon Mr. V.'s mind; he often referred to it, and spoke of John Brown as one of the most remarkable men he ever met. He was attacked most violently by the Republican papers for holding the conversation, and it was much misrepresented; but he never regretted it, nor did he regard his conduct in any way indelicate. He found Brown not only willing but anxious to talk, and in the full possession of his mental faculties. He did not press him to answer any inquiries; he put him on his guard, in one instance at least, to consider whether the question should be answered or not, by prefacing the interrogatory with the question, "Will you answer this?" and he was kind and courteous in his manner to the prisoner, although he knew of his vicious and bloody career in Kansas. He did desire to learn whether Brown had any support or assistance from prominent men in the North in making this most outrageous attack upon the people of the South.

Although John Brown had been a very bad man, had been

engaged in the horrible murder of the Doyle family in Kansas, and other murders there, had been guilty of stealing horses in Missouri, yet the desperate sincerity of the man in his anti-Slavery views could not but awaken a feeling akin to admiration in the bosom of one who, in the vindication of his own peculiar views, was willing at all times to stake fortune, popularity, and life itself. He felt profoundly the conviction that if John Brown was to suffer the penalty for the actual commission of murder and robbery, his aiders and abettors, the accessories before the fact, should also be discovered and punished. With this idea he endeavored in his interview with Brown to get some clue as to who the parties were that advised and aided him, and furnished him the means to perpetrate the crimes which he had committed upon the soil of the Old Dominion. In answer to the attacks of the Republican papers upon him in regard to this matter, he published the following letter:—

“DAYTON, O., Saturday, Oct. 22, 1859.

“*To the Editor of the Enquirer:*

“The Cincinnati *Gazette* of yesterday contains what purports to be a conversation between John Brown, the Harper’s Ferry insurgent, and myself. The editorial criticism in that paper, while unjust, is, nevertheless, moderate and decent in temper and language. Not so the vulgar but inoffensive comments of the *Commercial* and the *Ohio State Journal* of to-day. Self-respect forbids to a gentleman any notice of such assaults. But the report and editorial of the *Gazette* convey an erroneous impression, which I desire briefly to correct.

“Passing of necessity through Harper’s Ferry, on Wednesday last, on my way home from Washington City, I lay over at that place between morning and evening trains for the West. Through the politeness of Colonel Lee, the commanding officer, I was allowed to enter the Armory enclosure. Inspecting the several objects of interest there, and among them the office

building, I came to the room where Brown and Stevens lay, and went in, not aware that Senator Mason or any reporter was present till I entered, and without any purpose of asking a single question of the prisoners; and had there been no prisoners there I should have visited and inspected the place just as I did, in all these particulars.

"No 'interview' was asked for by me or any one else of John Brown, and none granted, whether 'voluntarily and out of pure good-will,' or otherwise. Brown had no voice in the matter, the room being open equally to all who were permitted to enter the Armory enclosure. All went and came alike without consulting Brown, nor did he know either myself or the other gentlemen with whom he conversed. Entering the room, I found Senator Mason, of Virginia, there casually, together with eight or ten others, and Brown conversing freely with all who chose to address him. Indeed he seemed eager to talk to every one; and new visitors were coming and going every moment. There was no arrangement to have any reporter; nor did I observe for some minutes after I entered that any were present. Some one from New York was taking sketches of Brown and Stevens during the conversation, and the reporter of the *Herald* made himself known to me a short time afterward; but I saw nothing of the *Gazette* reporter till several hours later, and then at the hotel in the village.

"Finding Brown anxious to talk and ready to answer any one who chose to ask a question, and having heard that the insurrection had been planned at the Ohio State Fair held at Zanesville in September, I very naturally made the inquiry of him, among other things, as to the truth of the statement. Learning from his answers that he had lived in Ohio for fifty years, and had visited the State in May or June last, I prosecuted my inquiries to ascertain what connection his conspiracy might have had with the 'Oberlin Rescue' trials then pending, and the insurrectionary movement at that time made in the Western Reserve to organise forcible resistance to the Fugitive Slave Law; and I have only to regret that I did not pursue the matter further, asking more questions and making them more specific. It is possible that some others who are so tenderly sensitive in regard to what was developed might have been equally implicated. Indeed, it is incredible that a mere casual conversation, such as the one held by me with John

Brown, should excite such paroxysms of rage and call forth so much vulgar but impotent vituperation, unless there be much more yet undisclosed. Certain it is that three of the negroes, and they from Oberlin, and at least six of the white men, nine in all out of the nineteen, including John Brown, the leader of the insurrection, were, or had been, from Ohio, where they had received sympathy and counsel, if not material aid in their conspiracy.

"But the visit and interrogation were both casual, and did not continue over twenty minutes at the longest. Brown, so far from being exhausted, volunteered several speeches to the reporter, and more than once insisted that the conversations did not disturb or annoy him in the least. The report in the *New York Herald*, of October 21st, is generally very accurate, though several of the questions attributed to me, and particularly the first four, ought to have been put in the mouth of 'Bystander,' who, by the way, represents at least half a score of different persons. As to the charge preferred of 'breach of good taste and propriety,' and all that, I propose to judge of it for myself, having been present on the occasion. There was neither 'interview,' 'catechising,' 'inquisition,' 'pumping,' nor any effort of the kind, but a short and casual conversation with the leader of a bold and murderous insurrection, a man of singular intelligence, in full possession of all his faculties, and anxious to explain his plans and motives so far as possible without implicating his confederates otherwise than by declining to answer. The developments are important: let the galled jades wince.

"And now allow me to add that it is vain to underrate either the man or his conspiracy. Captain John Brown is as brave and resolute a man as ever headed an insurrection, and, in a good cause, and with a sufficient force, would have been a consummate partisan commander. He has coolness, daring, persistency, the stoic faith and patience, and a firmness of will and purpose unconquerable. He is tall, viry, muscular, but with little flesh—with a cold gray eye, gray hair, beard and mustache, compressed lips and sharp aquiline nose, of cast-iron face and frame, and with powers of endurance equal to anything needed to be done or suffered in any cause. Though engaged in a wicked, mad and fanatical enterprise, he is the farthest possible remove from the ordinary ruffian, fanatic or mad-

man ; but his powers are rather executory than inventive, and he never had the depth or breadth of mind to originate and contrive himself the plan of insurrection which he undertook to carry out. The conspiracy was, unquestionably, far more extended than yet appears, numbering among the conspirators many more than the handful of followers who assailed Harper's Ferry, and having in the North and West, if not also the South, as its counsellors and abettors, men of intelligence, position and wealth. Certainly it was one among the best-planned and executed conspiracies that ever failed.

"For two years he had been plotting and preparing it with aiders and comforters a thousand miles apart, in the slave States and the free ; for six months he lived without so much as suspicion in a slave State, and near the scene of the insurrection, winning even the esteem and confidence of his neighbors, yet collecting day by day large quantities of arms, and making ready for the outbreak. He had as complete an equipment, even to intrenching tools, as any commander in a regular campaign, and intended, like Napoleon, to make war support war. He had Sharpe's rifles and Maynard's revolvers for marksmen, and pikes for the slaves. In the dead hour of night, crossing the Potomac, he seized the Armory with many thousand stand of arms and other munitions of war ; and making prisoners of more than thirty of the workmen, officers and citizens, overawed the town of Harper's Ferry with its thousand inhabitants. With less than half a score of men surviving, he held the Armory for many hours, refusing, though cut off from all succor and surrounded upon all sides, to surrender, and was taken with sword in hand, overpowered by superior numbers, yet fighting to the last. During this short insurrection eighteen men were killed and ten or more severely wounded — twice the number killed and wounded on the part of the American force at the Battle of New Orleans.

"John Brown failed to excite a general and most wicked, bloody and desolating servile and civil war, only because the slaves and non-slaveholding white men of the vicinity, the former twenty thousand in number, would not rise. He had prepared arms and ammunition for fifteen hundred men, and captured at the first blow enough to arm more than fifty thousand ; and yet he had less than thirty men — more, nevertheless, than have begun half the revolutions and conspiracies

which history records. But he had not tampered with slaves, nor solicited the non-slaveholding whites around him, because he really believed that the moment the blow was struck they would gather to his standard, and expecting, furthermore, the promised reinforcements instantly from the North and West. This was the basis upon which the whole conspiracy was planned; and had his belief been well founded, he would unquestionably have succeeded in stirring up a most formidable insurrection, possibly involving the peace of the whole country, and requiring, certainly, great armies and vast treasure to suppress it.

“Here was his folly and madness. He believed and acted upon the faith which for twenty years has been so persistently taught in every form throughout the free States, and which is but another mode of statement of the doctrine of the ‘irrepressible conflict’—that slavery and the three hundred and seventy thousand slaveholders of the South are only tolerated, and that the millions of slaves and non-slaveholding white men are ready and eager to rise against the ‘oligarchy,’ needing only a leader and deliverer. The conspiracy was the natural and necessary consequence of the doctrines proclaimed every day, year in and year out, by the apostles of Abolition. But Brown was sincere, earnest, practical: he proposed to add works to his faith, reckless of murder, treason, and every other crime. This was his madness and folly. He perishes justly and miserably—an insurgent and a felon; but guiltier than he, and with his blood upon their heads, and the blood of all whom he caused to be slain, are the false and cowardly prophets and teachers of Abolition.

“C. L. VALLANDIGHAM.”

The sensation in the South occasioned by this remarkable raid at Harper’s Ferry was wide-spread and profound. It created intense indignation and alarm in all the slaveholding States. In many of them preparations were immediately commenced for civil war. What most alarmed thinking men in the South was this: at the commencement of the anti-Slavery movement in the North, those who were most deeply interested in the

cause were men of sentimental feeling, Utopian dreamers, impracticable enthusiasts, transcendental philosophers, Quaker poets—non-combatants all. Then the politicians took hold of the movement, and were elevated to places of honor and emolument by its potent influence. But neither of these classes was regarded as dangerous; the one shrunk from any physical contest, the other had no deep convictions, no real heart-earnestness, and looked upon the anti-Slavery sentiment simply as an element to use for political advancement—a feeling which would soon die away when the irritating questions of Territorial government should be disposed of, and willing to bury it quietly, as many of them did “Americanism” or “Know-nothingism,” when its influence should cease to be powerful or to advance their own personal interests. But this raid developed the fact that another class was becoming aroused and interested—men of deeds, men of action; not cunning schemers or caucus-managers, but fierce, aggressive, strong-handed men, some of them perhaps unable to give audible expression to the thoughts that burned within them, but ready to attack, to fight, to shed blood, to die for the cause in which they had embarked. Truly Southern statesmen might well be alarmed at this new anti-Slavery development.

Union meetings were held all over the North for the purpose of re-assuring the Southern people, and in deprecation of the attack that had been made upon them. But these could do little good. The presiding officers and the speakers at these meetings were conservative men, true patriots, lovers of the Union, but they were men whose political influence had passed away, politicians from whom the sceptre had departed; they represented a minority, and a minority from which the South had no cause

and no feeling of apprehension. These meetings had little significance, and though kindly meant, were useless—perhaps worse than useless, for they kindled an enthusiasm for Union without regard to the Constitution; and thousands who were yelling around the platform responsive to denunciations of the Abolition agitators who had “attacked and murdered our Southern brethren,” in less than two years were yelling with equal enthusiasm as “Southern brethren” by thousands fell beneath the roar of their cannon and the volleys of their muskets.

Other measures were needed and would have been effective. Had the Northern people repealed their “personal liberty bills,” as they were called, enactments made for the very purpose of nullifying certain provisions of the Constitution of the United States and the laws passed in pursuance thereof; had they ceased to agitate the question of slavery, and left to the people of the South the same privilege which they themselves exercised, that of regulating as they pleased their own domestic institutions, the storm would have blown over. The evil of slavery—for we acknowledge it was an evil—it is true would for a time have remained, but ultimately it would have been removed, gradually, and without detriment to slaveholder or slave; a long and bloody civil war would have been avoided, the terrible effects of which are felt to this day, and will be felt for years, perhaps for generations to come; the Union would have been preserved, a Union of love and affection as established by our fathers; and peace, harmony and prosperity would have prevailed throughout the length and the breadth of our widely extended country.



## CHAPTER IX.

### THE THIRTY-SIXTH CONGRESS.

ON the 5th day of December, 1859, the Thirty-Sixth Congress commenced its first session. It was a time of great excitement throughout the country, occasioned by the recent "John Brown raid," and by the publication and wide circulation of a book called the "Impending Crisis." To the former we have already given considerable space: the latter demands a passing notice. The "Impending Crisis" was written by Hinton R. Helper, a man then unknown to fame and without position in society. A few quotations from the book will exhibit its atrocious character and wicked purpose.

The book recommends the following course of action to citizens of the South not holding slaves:—

1st.—"Thorough organization and independent political action on the part of the non-slaveholding whites of the South."

2d.—"Ineligibility of pro-slavery slaveholders. Never another vote to any one who advocates the retention and perpetuation of human slavery."

3d.—"No co-operation with pro-slavery politicians; no fellowship with them in religion; no affiliation with them in society."

4th.—“No patronage to pro-slavery merchants; no guestship in slave-waiting hotels; no fees to pro-slavery lawyers; no employment of pro-slavery physicians; no audience to pro-slavery parsons,” &c., &c.

The following sentences also occur in the book:—

“Against slaveholders as a body we wage an exterminating war.” “We contend that slaveholders are more criminal than common murderers.” “The negroes, nine cases out of ten, would be delighted at the opportunity to cut their masters’ throats.”

This book, abounding in sentiments like these, and some far more offensive than any we have quoted, was highly commended by leading Republicans, was indorsed by a large majority of Republican Congressmen, and was by them circulated by tens of thousands in every part of the land.

The excitement prevailing throughout the country was of course intensely felt and conspicuously exhibited in Congress. In the House neither of the two great political parties which nearly equally divided the country, had a majority; the balance of power was with what was called the American party; a small band, but just then one of influence and importance. In consequence of this state of things the election of a Speaker was a very difficult matter, and a bitter struggle ensued, protracted for two months. John Sherman, of Ohio, was nominated by the Republicans; but as he was an indorser of Helper’s book, his election was violently opposed and ultimately defeated. The discussions from day to day were of a most turbulent character. A majority of the members came to the House armed; fierce words were spoken, and often there seemed imminent danger of personal collision.

On the 14th of December, Mr. Vallandigham obtained the floor for the purpose of making a speech; as, however, it was late in the evening, he asked for an adjournment. This, though customary as a matter of courtesy, the Republican members refused. They knew that he was a bitter opponent of Abolitionism; his interview with John Brown, grossly misrepresented as it was by Republican papers, had offended them, and they determined to annoy him in his effort to speak, or to prevent it altogether. He, however, took his stand at the head of the middle aisle, and in the midst of all their disorder and confusion firmly and calmly maintained it. Postponing for the present the speech he had intended to make, he consumed the time in severe criticism of Helper's book, till, tired of the unpalatable dose he was administering to them, they gladly consented to an adjournment. The next morning he was permitted to speak without interruption. Two brief extracts from that speech, as reported in the *National Intelligencer*, we here give for the purpose of exhibiting his strong Union feeling, and the cause and the extent of his Southern sympathies:—

“Mr. Vallandigham, of Ohio, addressed the House. He said, though a young man, still he had seen some legislative service; but he had always endeavored so to be a politician as not to forget that he was a gentleman, and he was resolved to exact from others that courtesy which he was always willing to award. He charged the Republican party with discourtesy in refusing to adjourn, according to his desire, last evening. He had said that if any man had endorsed a book of an incendiary character, and had refused to disavow its sentiments, he was not fit to be Speaker or member of this House, and he repeated that assertion to-day. A slaveholder had stated that such a person was not fit to live, but there was no indignation

on the Republican side of the House manifested as there had been when he made his declaration. He would inform gentlemen on that side that he was their peer, and he would exact from them as a Western Democrat the same consideration which they were forced to give Southern slaveholders. If they thought otherwise they had yet to learn his character, for he was as good a Western fire-eater as the hottest salamander in this House. [Laughter and applause.] He had been served with a notice this morning that the Republican side did not intend to listen to any further discussion. He cared not whether they would listen or not; he told them the country held its breath in suspense upon every word said here, and he was determined to declare his sentiments.

“In this sectional controversy he held a position of armed neutrality. He was not a Northern man with Southern principles, but a United States man with United States principles; but when the South was threatened with armed invasions, servile insurrections, and the torch of the incendiary, his sympathies were wholly for her. He had no respect for Southern rights simply as such; let the South defend them, as he knew they would and could; but he had a tender regard for his own obligations. As a Northern man he would give the South all her constitutional rights, including three-fifths rule, fugitive slave law, equal rights in the territories, and whatever else the Constitution gives. [Applause.] He was not true to the South in the sense of defending Southern institutions and giving Southern votes on questions regardless of his Free State identity; but he was true to the South, as were the great mass of the Democratic party in the North, in maintaining all the constitutional rights of the South against all her enemies whatsoever. There were three classes in the country: those who were pro-slavery, those who were anti-slavery, and those who occupied a middle or neutral ground; and to the latter class he claimed to belong. That, he believed, was the true ground for all Conservative Union men of this country. . . . He was opposed to disunion, come from whatever quarter it might. But the South had an ample apology in the events of the last few months. War, open war, had been proclaimed against them, and arson and murder had been committed in their streets. The murderer had been executed, but he had risen from the dead a hero and a martyr, and his followers were

gathering strength and only awaiting the hour to renew the invasion. These things were ample apology for the alarm and indignation which pervade the South. But would they secede now? Would they break up the Union of these States, and bring down forever, in one promiscuous ruin, the pillars and columns of this magnificent temple of liberty which our fathers reared? Wait a little. Let them try again the peaceful remedy of the ballot-box, more potent than the bayonet. He was not as hopeful of the final result as some; but he was taught in his infancy that he should never despair of the Republic. He believed in an overruling Providence, and that God had fore-ordained for this country a higher, mightier, nobler destiny than for any other country since the world began. Time's noblest empire was the last. From the North Pole to the Isthmus of Darien, from the Atlantic ocean to the Alleghanies, stretching over the vast basin of the Mississippi, scaling the Rocky Mountains, and lost at last in the blue waters of the Pacific, he beheld the future of this country in patriotic vision, one Union, one Constitution, one destiny. [Applause.] But this magnificent destiny could only be achieved by us as a united people."

This speech, the first of any length delivered by Mr. Vallandigham, was highly applauded.

We present two short extracts from papers published at the time :—

From the *Journal of Commerce* :—

"Mr. Vallandigham, of Ohio, who is a fine speaker as well as a sound thinker, made a capital Union speech to-day against sectionalism and ultraism on both sides. He declares one thing in which every Western man concurs, to wit: that the great West will never allow a dissolution of the Union."

From the *Washington Star* :—

"Mr. Vallandigham delivered a national speech in the House hall this morning, which won him great oratorical reputation, and was in itself a key to the remarkable opposition manifested

by the Republican party members yesterday to his effort to address the body. That is to say, they had no fancy to permit a gentleman to speak who would surely place them much more clearly on the defensive than before. We take it for granted that no Speaker will be elected until the best reply that can possibly be made to Mr. V.'s speech shall have been made."

After angry discussions, exciting scenes, and frequent ballottings from day to day, continued through the months of December and January, at length, on the 1st day of February, a Speaker was elected, the Hon. Wm. Pennington, of New Jersey, a moderate Republican, and one who was not an indorser of Helper's book.

About this time, complaint was made to Mr. Vallandigham by the editor of a religious and political paper published in his district, that its circulation in the South was obstructed by the unlawful action of certain Southern postmasters. The paper in question was an Abolition sheet, and these postmasters, regarding it as incendiary and mischievous, had taken the responsibility in some cases of withholding it from subscribers, or even of destroying it. Mr. Vallandigham was no friend to the paper, to its spirit or purpose; but he was in favor of free speech, a free press, and the free and unobstructed circulation of newspapers. He promptly interposed, and through his influence the grievance was redressed. Yet the very men who had invoked his aid and commended his course in securing a free transmission through the mails of this paper—a paper of the kind which the people of the South regarded as not only insulting but dangerous—these men in less than two years were clamorous for the suppression of the Democratic press throughout the land, and eager to silence the voice of all who dared to differ from them as to the measures best calculated to promote the peace and harmony and prosperity of the country.

In February, Mr. Vallandigham delivered a brief eulogy upon the occasion of the death of Mr. Goode, of Virginia ; and in March spoke at length against the "hour-rule," denouncing it as a chief source of evil in legislation and parliamentary proceeding. He offered an amendment: "That the limitation of debate to one hour shall apply only to speeches read by members in the House or Committee." He would have preferred to have the rule abrogated altogether, but believing that this could not be accomplished, he thought that by adopting the amendment the evil would be mitigated. It was an evil, and had been wherever it had obtained. At Athens, in her legislative assembly there was no limit to public debate, and hence those splendid remains of Grecian eloquence which challenged the admiration of the world to this day. But in the judicial courts of Athens the rule did prevail, and forensic eloquence attained but small importance in Greece. Limitation upon debate was not known in the Roman Senate, or at the Roman bar in the earlier days of the Republic ; but as she began to fall into decay the "hour-rule" was applied in judicial trials, and according to the testimony of her historians, from that moment forensic eloquence perished. But to come down to our own times, it was the testimony of men who had long served in Congress, that since the adoption of the "hour-rule," speeches had increased in quantity and deteriorated in quality. The rule had been vehemently assailed by Mr. Benton. Mr. Calhoun had denounced it as "destroying the liberties of the people by *gagging* their Representatives ;" and it had been opposed by John Quincy Adams, and by many others of the oldest and ablest members of the House. He would not disparage, as some were disposed to do, those care-

fully prepared and elegantly written lectures which often wearied the patience of the House; but these essays or lectures were not delivered in the proper place: they belonged to the lyceum and not to legislation. He longed to see restored to the House legitimate *debate* — that interesting and exciting debate so highly dramatic in character, now heard only in the Senate of the United States or in the Parliament of Great Britain, but which since the adoption of the “hour-rule” had almost wholly disappeared from the Representative Chamber, and lingered only in the memory or the records of the past. He concluded thus:

“The discussion upon the Lecompton Constitution, in which from one hundred and seventy to two hundred speeches were delivered or read, occupied the time, if not the attention, of the House from the 16th of December until the 30th of April. And why is this? Because we have no legitimate debate. The speech of one member does not follow that of another. One set of ideas or arguments is not provoked by another urged by the speaker who preceded. We hear none and have none of that kind of debate. Disconnected lectures, written weeks before, and concealed in the desks of members, are continually produced here and read to empty benches, and yet go forth to the country as speeches which thrill the hearts of members and those who throng our galleries.

“Sir, I remember, as an illustration this moment occurring to me, that a member from Illinois read an essay upon this floor in the month of February one year ago, late at night, to three members and five pages [laughter], and yet the next day it was telegraphed to a leading paper in the city of New York as one of the most thrilling speeches ever delivered in the House, remarkable especially for its fearlessness and the boldness of its denunciation [renewed laughter], and perfectly electrifying every one present. Now, is it not time that this evil was remedied? I repeat again, that the *quantum* of speaking will not be increased by the abrogation of the hour-rule; the number of pages which make up your *Congressional Globe* will not



be multiplied ; and what difference is it to us or to the country whether one man shall speak for two hours or two men speak for one hour each ? It may be of some moment to our particular constituencies, but it is none to the whole country. Let gentlemen who would discuss mere partisan or local topics, go back to the ancient usage, which prevailed some forty years ago, of publishing addresses upon such questions to their constituents. Let us agree henceforth that what is said upon the floor here shall relate to the great measures of public policy and legislation which may come before us, and not to mere fleeting and temporary subjects of controversy between parties. No reform which we can devise will tend so far to bring the House back to its ancient dignity and decorum, and to that high repute which belonged to it in the earlier days of the Republic.

“I desire to call the attention of the committee to the fact that for thirty years after the organization of this Government the Senate was not the centre of attraction. It was the House upon which the eyes of the country were turned. It was here, Sir, that in those days there were gathered an Ames, a Madison, an Ellsworth, a Randolph, a Sherman, and others of a like fame who have made the history of our country illustrious. But for thirty years now, and especially within the twenty years past, since the adoption of the hour-rule, along with other evils, the importance and even the equality of the House has been lost, and it is the Senate whose galleries the people throng now ; it is the Senate that has drawn upon itself the chief attention of the country ; it is the debates in the Senate for which the public look ; it is the speeches delivered in the Senate which circulate throughout the land ; and, finally, it is the Senate, as the gentleman from Virginia [Mr. Garnett] suggested, which is not only absorbing all the legislation of the country, but is moulding that public opinion which controls the Government. Is it not apparent then, I ask, that there should be found, and right speedily, a remedy for the disrepute into which this House has fallen ? What that remedy may be I leave to your wisdom, gentlemen, to devise ; but I repeat that the abrogation of the ‘hour-rule’ is, in my opinion, the first and a most important step in that direction.

“*Mr. Cox.*—I wish to ask my colleague a single question. He seems to have taken the British House of Commons as his model of a parliamentary body.

"*Mr. Vallandigham.*—Not altogether, although this House was certainly modeled after it.

"*Mr. Cox.*—My colleague has, no doubt, read in *Ten Thousand a Year* of one Tittlebat Titmouse, who broke down a ministry by crowing at an inopportune time. [Laughter.] I suppose that, to carry out the system in this House, it should be the duty of the Speaker to appoint persons who are to perform that duty. But, as my colleague refers to classic authorities, I ask him whether it was not true that the 'hour-rule' always prevailed in the Roman Senate?

"*Mr. Vallandigham.*—Certainly not.

"*Mr. Cox.*—I ask if it was not extraordinary that those great declamations of Demosthenes and Æschines always came out in exactly sixty minutes?

"*Mr. Vallandigham.*—My colleague is, as Titmouse would say, a most 'respectable gent;' and no doubt the incident to which he has referred in that gentleman's parliamentary career, illustrating his powers of crowing, was called to mind by the similarity between my colleague's name [Mr. Cox] and the barn-yard fowl called

'Chanticleer who wakes the morn.'

He is the very bird for the new office he proposes. [Laughter.] But I regret that he has exhibited such lamentable forgetfulness, at least, in regard to the Roman and Grecian eloquence to which I had made allusion by way of illustration. If he had recently read the speeches of Demosthenes and Æschines to which he refers, he would not have asked whether they were not spoken in sixty minutes. Certainly they cannot now be read in two hours, and that without including the documents quoted by the orators.

"*Mr. Cox.*—That depends upon whether they are read in the original. [Laughter.]

"*Mr. Vallandigham.*—I do not profess to be as familiar with Greece as my colleague. He has seen the 'isles of Greece,' visited the classic shores of Attica, walked the streets of Athens, and stood upon the Acropolis. I have not. He visited Rome, too; though I may not speak of what he saw or heard in the Eternal City; he has written it in a book. [Laughter.] But I will not occupy the time of the committee

longer. By reason of the very evil of interruptions of which I complained, I have been forced to speak at far greater length than I intended. I beg pardon, gentlemen."

About the same time he spoke in support of a bill he had offered to provide for the better arming of the militia of the States. It was a subject to which he had always devoted much attention, having while a student of law held the position of Division-Inspector in his native county, with the rank of Lieutenant-Colonel. In 1857, upon the reorganization of the volunteer militia of Ohio, he had been chosen a Brigadier-General, and had spent no small amount of money and time to bring his command into good condition and discipline. He now labored earnestly, at this and the succeeding session, to procure arms from the Federal Government, though without success.

In April, 1860, as Secretary of the National Democratic Committee, he attended the Presidential Convention at Charleston, S. C. Though never an indorser of Mr. Douglass's peculiar views in reference to "Squatter Sovereignty," or the power of the inhabitants of a Territory over the institution of Slavery, yet for personal reasons, and because he believed him to be the fittest man to meet the impending crisis, he sincerely supported that gentleman for the nomination. At the same time he saw with anxiety and alarm that the unwise counsels and ill-advised measures of some of Mr. Douglass's friends were about to be used by his extreme Southern opponents to break up the Convention, and did not hesitate to speak his mind freely. Foreseeing in this, as in so much else, the approaching storm of civil war, he earnestly labored to avert the mischief. Men over-zealous in support of their favorite, took

occasion to question his sincerity. This coming to the notice of Mr. Douglass, he replied in a letter to a friend, declaring that he never had a moment's doubt of Mr. Vallandigham's honor and fidelity; adding, "Whenever I know a man to be a gentleman, I always regard his word as conclusive."

It was during this Convention that the following incident occurred, as related by one of the editors of the Charleston (S. C.) *Courier*:—

"On one occasion when Mr. Vallandigham, Mr. John A. Logan of Illinois, Mr. Larrabee of Wisconsin, and others were present, the conversation turned upon the threatening attitude of the questions before the convention. Mr. Vallandigham rose at the dinner-table with an air of great gravity, and said:—'Gentlemen, if the Democratic party is disrupted in this Charleston Convention, the result will be the disruption of the Union, and one of the bloodiest civil wars on record, the magnitude of which no one can estimate. In the unity of the Democratic party, and in the Union, lies the hope of the South and of Republican government.' Mr. Logan replied:—'Sit down, Vallandigham, and drink your wine; you are always prophesying.' Mr. Vallandigham rejoined:—'Gentlemen, I speak earnestly, because I feel deeply impressed with the truth of what I have uttered.'"

It is manifest that about this time Mr. Vallandigham was very apprehensive of a dissolution of the Union. In a letter to his brother James, dated Washington, D. C., May 16, 1860, he says:—

"As to our political future I am utterly in the dark. Providence can save us yet, but nothing else. . . . I am not troubled so far about my own district—as the Democratic party there will be united on me, and I shall receive also many votes from the 'Union Party,' no doubt. But I shall be content whatever betides, for I know that I am in the hands of Him who doeth all things well. Resignation to His will is

one of the highest evidences of piety and first duties of a Christian, for it is written that godliness with contentment is great gain. So that, though I expect to be re-elected, yet should it turn out otherwise, I will return to my profession without a murmur, and with renewed energy—unless, indeed, that dire and impending calamity, *a disruption of the Union*, should occur. In that event, which God in His mercy avert, I shall have much to do in the scenes which must follow.”

On the 19th of May Mr. Vallandigham returned home on a brief visit from Washington, and addressed the people in front of the court-house. The following are extracts from the speech:—

“He was not for the North, nor for the South, *but for the whole country*; and yet in a conflict of sectional interests he was for THE WEST all the time. In a little while, even after the present year, men east of the mountains would learn that there was a West, which to them has heretofore been an ‘undiscovered country.’ *He hoped fervently to see the day when we should hear no more of sections*; but as long as men elsewhere demanded a ‘united North,’ and a ‘united South,’ he wanted to see a ‘united West.’ Still the ‘United States’ was a better term, more patriotic, more constitutional, and more glorious than any of them.”

Referring to Mr. Lincoln’s “irrepressible conflict” speech of 1858—

“Mr. Vallandigham proceeded for some time to denounce the sentiment of the speech in a vehement and impassioned manner, as revolutionary, disorganising, subversive of the Government, *and ending necessarily in disunion*. Our fathers had founded a government expressly upon the compatibility and harmony of a union of States ‘part slave and part free,’ and whoever affirmed the contrary, laid the axe at the very root of the Union.”

And in a later speech at the same place he said:—

“Kill the Northern and Western anti-slavery organization

(the Republican party), and the extreme Southern pro-slavery 'fire-eating' organization of the Cotton States (its offspring) will expire in three months. Continue the Republican party—above all, put it in power, and the antagonism will grow till the whole South will become a unit."

On the first of August he addressed a very large Democratic meeting at Detroit, Michigan. In the course of the speech he said:—

"For twenty years the country has been agitated by this subject of slavery. Men of the North and West have been taught to hate the men of the South, and Southerners have been taught to hate the men of the North and West. This Northern sectionalism and fanaticism has been approaching nearer and nearer to Mason and Dixon's line, while the Southern fanaticism, starting in the Cotton States, has been creeping northwardly, until the two factions have nearly met. What will be the inevitable result of the conflict that must ensue? They must meet if the floods of fanaticism be not checked. When they meet on the plains of Southern Illinois, Indiana and Ohio, how long in God's name can the country endure? *Human nature has been misread from the time of Cain to this day, if blood, blood, human blood is not the result.* But, thank God, between the two sections there is a band of national men, patriots, who love their country more than sectionalism, ready to stay this conflict. Our mission is to drive this sectionalism of the North back to Canada, whence it sprung; and that of the South back to the Gulf of Mexico."

It was upon this occasion that he first crossed the river to Windsor, little imagining that in three years it was to be his place of sojourn while in exile for the exercise of his constitutional rights as a citizen. He foresaw the civil war, but not the immediate overthrow of personal and political liberty.

Mr. Douglass having been nominated by the main body of the adjourned convention at Baltimore, Mr. Vallandigham supported him earnestly throughout the canvass. He was

himself for the fifth time the Democratic candidate in his district for Representative in Congress, and again without the formality of a convention. Though not quite the most bitter, it was the most difficult and delicate of all his canvasses, inasmuch as the opponents of the Republican party were divided into three sections, supporting respectively Bell, Breckenridge, and Douglass. Yet he was returned by a majority nearly the same as in 1858. Shortly afterwards he went to New York and New Jersey to speak in behalf of the "Union Ticket" in those States; and it was at the great meeting of November 2d, at the "Cooper Institute," that he made the declaration that "he never would, as a Representative in the Congress of the United States, vote one dollar of money whereby one drop of American blood should be shed in a civil war." Late in the afternoon of the day of the election he reached home and gave his vote, remarking to a friend that "he feared it was the last which any one would give for a President of the *United States*."

On the 10th of November, four days after the Presidential election, he published a card in the Cincinnati *Enquirer*, in reply to an attack by a Republican paper. The following is an extract:—

"And now let me add that I did say, not in Washington nor at a dinner-table, not in the presence of 'fire-eaters,' but in the city of New York, in public assembly of Northern men, and in a public speech at the Cooper Institute, on the 2d of November, 1860, that 'if any one or more of the States of this Union should at any time secede for reasons of the sufficiency and justice of which, before God and the great tribunal of history, they alone may judge, much as I should deplore it, *I never would as a Representative in the Congress of the United States vote one dollar of money whereby one drop of American blood should be shed in a civil*

*war.* That sentiment, thus uttered in the presence of thousands of the merchants and solid men of the free and patriotic city of New York, was received with vehement and long-continued applause, the entire vast assemblage rising as one man and cheering for some minutes. And I now deliberately repeat and reaffirm it, resolved, though I stand alone; though all others yield and fall away, to make it good to the last moment of my public life. No menace, no public clamor, no taunts, no sneers nor foul distraction from any quarter shall drive me from my firm purpose. Ours is a government of opinion, not of force—a Union of free will, not arms; and coercion is civil war—a war of sections, a war of States, waged by a race compounded and made up of all other races, full of intellect, of courage, of will unconquerable, and when set on fire by passion, the most belligerent and most ferocious on the globe—a civil war full of horrors which no imagination can conceive and no pen portray. If Abraham Lincoln is wise, looking truth and danger full in the face, he will take counsel of the ‘old men,’ the moderates of his party, and advise peace, negotiation, concession; but if, like the foolish son of the wise king, he reject these wholesome counsels, and hearken only to the madmen who threaten chastisement with scorpions, let him see to it lest it be recorded at last that none remained to serve him ‘save the house of Judah only.’ At least if he will forget the secession of the Ten Tribes, will he not remember and learn a lesson of wisdom from the secession of the Thirteen Colonies?”

The Presidential election of 1860 resulted in the choice of Abraham Lincoln, and the whole South was forthwith stirred with the most violent excitement. Secession of some, if not all, of the Southern States became imminent.

Congress met in second session on the 3d of December. To the Democrats of the Free States it was a time of darkness and discouragement. For years they had been predicting that these troubles would come unless the slavery agitation should cease; but their predictions were disregarded, and they themselves were derisively denounced as “Union-shriekers,” as “Union-savers.” They sincerely loved the Union, and had struggled



hard — many of them making sacrifices of personal feeling on the subject of slavery, and of their political prospects, in order to maintain the bonds of brotherhood between the North and the South. But now it seemed their labor was fruitless; the Union was about to be dissolved, and they were filled with sadness and gloom. This was especially the case with Mr. Vallandigham. He was a man of deep feeling, of intense earnestness, and could not but be powerfully moved by the disturbed and threatening condition of the country. The Southern men too were deeply affected. They had made up their minds to depart, but they looked upon it as a constrained departure. They had loved the Union — a Union formed by the wisdom and cemented by the blood of their fathers, who in the council-chamber and the field had, with their brethren of the North, diligently labored amid trials and discouragements till this fair fabric of government stood in strength and beauty before them. How could they look with indifference upon its dissolution?

On the other hand, the Republicans were comparatively calm and cheerful. They had elected their President, and they would, before long, accomplish the great object of their desire, the abolition of Slavery. They did not believe that there was any danger of a dissolution of the Union; and even if it should take place, better that than the perpetuation of Slavery. This was the feeling of a large proportion of the Republican party. No Union with slaveholders was their cry, and the removal of Slavery or a dissolution of the Union was what they desired, and would have ultimately demanded — imperatively demanded.

Mr. Vallandigham now felt sure that a secession of several

of the States would take place, and though not without fear that the dissolution might be perpetual, he still hoped for restoration. That he indulged very gloomy apprehensions in reference to the future of the country is manifest from a letter to his wife, dated —

“WASHINGTON CITY, Dec. 3, 1860.

“I have just witnessed the assembling of the last Congress of the *United States* at its last session. It was a solemn scene, though not appreciated as it will be viewed by posterity. Most of the Republicans looked upon it as the beasts look upon the starry heavens — ‘with brute unconscious gaze.’ All Southern men and the Democrats from the Free States sat with hearts full of gloom. The South Carolina members — almost out of the Union, and here now for a few days, to part forever it may be — seemed full of sorrow, yet accepting their destiny as one who leaves his father’s house never to return. At twelve o’clock the gavel of the Speaker silenced every hum and a stifling silence followed, during which the Chaplain, Mr. Stockton, with hair all white, made a solemn and impressive prayer; then followed the calling of the roll and the swearing in of a few new members. In the midst of all the solemnity of the occasion, — — — moved to take up the Homestead Bill! Poor fellow! he knew no better. But the House preferred to adjourn, after quietly going through the farce of drawing for seats.

“And thus has ended the 3d day of December, 1860! It has passed into history as did the melancholy sixth of November — *dies irae* — the antithesis of the 4th of July — a day of tribulation and anguish — the saddest day I ever passed. They who some centuries hence shall read the history of these times, will be amazed at the folly and blindness of us who live and act now; but *they* will be as blind and as foolish in the things of their own day and generation.

“When the secession has taken place, I shall do all in my power first to *restore* the Union, if it be possible; and failing in that, then to mitigate the evils of disruption.

“Well in body, but with a mind oppressed with the magnitude of impending events, full of evil through all coming time, I am,” &c.

On the 4th of December, a member from Virginia moved that a committee of thirty-three, one from each State, be appointed to consider and report upon the perilous condition of the country. Mr. Vallandigham voted for the motion, because, as he remarked, it was an expedient, and though totally inadequate, he was willing to support any and every expedient, trusting that something might be yet done to avert the impending dangers. Mr. Hawkins, of Florida, being named one of the committee, moved to be excused. A debate followed, and Mr. Vallandigham spoke briefly but earnestly in protest against the composition of the committee, criticising it also as too numerous, and therefore discordant and slow, and asking what kind of conciliation and compromise that was which began by forcing a member to serve upon a committee raised for the very purpose of peace? He spoke also earnestly in defence of the Northwest. The following are extracts:—

“But I repeat, Sir, there is not upon your committee one solitary Representative east of the Rocky Mountains, of that mighty host, numbering one million six hundred thousand men, which for so many years has stood as a vast breakwater against the winds and waves of sectionalism, and upon whose constituent elements at least this country must still so much depend in the great events which are thronging thick upon us, for all hope of preservation now or of restoration hereafter. Sir, is any man here insane enough to imagine for a moment that this great Northern and Western Democracy, constituting an essential part, and by far the most numerous part, of that great Democratic party which for a half a century moulded the policy and controlled the destinies of this Republic; that party which gave to the country some of the brightest jewels of which she boasts; that party which placed upon your statute-books every important measure of enduring legislation from the beginning of the Government to this day—that such a section of such a party is to be thus utterly ignored, insulted,

and thrust aside as of no value? I tell you, you mistake the character of the men you have to deal with. We are in a minority indeed, to-day, at the ballot-box; and *we* bow quietly now to the popular will thus expressed. We are defeated, but not conquered; and he is a fool in the wisdom of this world who thinks that in the midst of the stirring and revolutionary times which are upon us, these sixteen hundred thousand men, born free and now the equals of their brethren — men whose every pulse throbs with the spirit of liberty — will tamely submit to be degraded to inferiority and reduced to political servitude. Never, never while there is but one man left to strike a blow at the oppressor.

“Sir, we love this Union; and more than that, we obey the Constitution. We are here a gallant little band of less than thirty men, but representing more than a million and a half of freemen. We are here to maintain the Constitution, which makes the Union, and to exact and yield that equality of rights which makes the Constitution worth maintaining. We are ready to do all and to suffer all in the cause of our — thank God! — yet common country; and by no vote or speech or act of ours, here or elsewhere, shall anything be done to defile, or impair, or to overthrow this the grandest temple of human liberty ever erected in any age. But we demand to worship at the very foot of the altar; and not, as servants or inferiors, in the outer courts of the edifice.

“*Sir, we of the Northwest have a deeper interest in the preservation of this Government in its present form than any other section of the Union.* Hemmed in, isolated, cut off from the seaboard upon every side; a thousand miles and more from the mouth of the Mississippi, the free navigation of which *under the law of nations* we demand, and will have at every cost; with nothing else but our great inland seas, the lakes — and their outlet, too, through a foreign country — what is to be our destiny? Sir, we have fifteen hundred miles of southern frontier, and but a little narrow strip of eighty miles or less from Virginia to Lake Erie bounding us upon the east. Ohio is the isthmus that connects the South with the British Possessions, and the East with the West. The Rocky Mountains separate us from the Pacific. Where is to be our outlet? What are *we* to do when you shall have broken up and destroyed this Government? We are seven States now, with fourteen Senators

and fifty-one Representatives, and a population of nine millions. We have an empire equal in area to the third of all Europe, and *we do not mean to be a dependency or province either of the East or of the South*; nor yet an interior or second-rate power upon this continent; and if we cannot secure a maritime boundary upon other terms, we will cleave our way to the sea-coast with the sword. A nation of warriors we may be; a tribe of shepherds never."

He closed with a solemn warning that the time was short and the danger imminent, and that standing in the forum of history, acting in the eye of posterity, all duties should be discharged instantly and aright, if we would be —

"Medicined to that sweet sleep  
Which yesterday we owed."

The House refused to excuse Mr. Hawkins; but he did not serve. It was in this debate that Mr. Sickles repeated substantially Mr. Vallandigham's declaration against supporting a civil war, pledging that no man should ever pass through the city of New York to coerce a seceded State, and threatening that that city would assert her own independence. Mr. Sickles said:—

"The country has been fatally deceived, and some of these illusions possess us even now. One of them is that this Union can be preserved by force. . . . Yet when the call for force comes — let it come whence it may — no man will ever pass the boundaries of the city of New York for the purpose of waging war against any State of this Union which, through its constituted authorities and sustained by the voice of its people, solemnly declares that its rights, its interests, and its honor demand that it should seek safety in a separate existence. . . . I simply mean to discharge my duty in endeavoring to contribute something towards dispelling the hallucination that exists in many places — yes, Sir, in distinguished places — that the Union is to be preserved by armies. Sir, the Union can be made perpetual by justice, but it cannot be maintained an instant by force."

Such were the sentiments of the Hon. Daniel Sickles, uttered on the floor of Congress on the 10th of December, 1860. He recanted and became a Major-General: Mr. Vallandigham made his declaration good, and was driven into exile. But in proud conscientiousness he could exclaim in Congress, after two years of desolating and disastrous war, "To-day I bless God that not the smell of so much as one drop of its blood is upon my garments."

About the middle of December a large meeting of Senators and Representatives from the fourteen Free and Slave States on each side of the border was held for mutual consultation as to their interests in the Union, and to devise, if possible, some plan by which the differences between the two sections might be settled. The number present was about seventy-five. Senator Crittenden presided, and Mr. Colfax of Indiana, and Mr. Barrett of Missouri, were appointed secretaries.

A number of propositions were submitted to the meeting.

Mr. Vallandigham proposed the Crittenden resolutions. After considerable discussion, the several propositions submitted were referred to a committee of fourteen, one from each State represented, who were directed to report to a future meeting, to be called by them as soon as they should agree upon a basis of settlement.

About this time a number of prominent gentlemen, principally of the Border States, believing that a disruption of the Union was inevitable, conceived the idea of a "Central Confederacy," to be composed of New Jersey, Pennsylvania, Delaware, Maryland, Virginia, Kentucky, Tennessee, North Carolina, and Missouri, together with the Northwest. They consulted Mr. Vallandigham. His reply was that it would make

a "noble Republic," but he would favor no scheme of division whatever so long as there was any "hope of saving the present Union."

On the 20th of December, Senator Pugh of Ohio spoke against coercion in a powerful and eloquent speech; and at a serenade given in his honor on the evening of the 22d, Mr. Vallandigham was called out. We give a brief extract from his speech:—

"To-night you are here to endorse the great policy of conciliation, not force; peace, not civil war. The desire nearest the heart of every patriot in this crisis is the preservation of the Union of these States as our fathers made it. [Applause.] But the Union can be preserved only by maintaining the Constitution, and the constitutional rights, and above all, the perfect equality of every State and every section of this confederacy. [Cheers.] That Constitution was made in peace; it has, for now more than seventy years, been preserved by the policy of peace at home, and it can alone be maintained for our children, and their children after them, by that same peace policy.

"We mean to stand by it. Public sentiment may, indeed, at first be against us the tide may run heavily the other way for a little while; but thank God, we all have nerve enough, and will enough, and faith enough in the people to know that at last it will turn for peace; and though we may be prostrated for a time by the storm, yet upon the gravestone of every patriot who shall die now in the cause of peace and humanity and the country, shall be written '*Resurgam*'—I shall rise again. And it will be a glorious resurrection. [Loud and continued applause.]

"Fellow-citizens, *I am all over and altogether a Union man.* I would preserve it in all its integrity and worth. But I repeat that this cannot be done by coercion—by the sword."

Some time in this month Mr. Vallandigham visited Richmond, Virginia, invited to that city for the purpose of delivering a lecture before the Young Men's Christian Association.

The following notice of his visit and lecture we take from the *Richmond Enquirer*:—

“THE HON. C. L. VALLANDIGHAM, OF OHIO.—This distinguished Representative from the State of Ohio, visited Richmond in compliance with an invitation to lecture before the Young Men’s Christian Association. The lecture was attended by the largest audience that has ever assembled at these lectures in Richmond; a well-deserved compliment to the ability and constitutional conservatism that has always characterised the public life of Mr. Vallandigham. The President of the Association, in introducing Mr. Vallandigham, alluded to him as ‘a patriotic and eloquent son of a Virginia sire,’ to which Mr. V. responded in substance as follows:—

“*Virginians*:—I thank the President of your Association for his kindly allusion, and I thank you all for the cordial manner in which the papers of your capital have spoken of me this morning. I am, indeed, the representative in Congress of a State, the dominant party of which has unhappily given but too just cause for distrust and alarm to Virginia; yet that State is the first-born daughter of your Commonwealth, and I beg to assure you that it is not they among us of Virginia blood who have ever sought to wound or to harm their honored mother. Here in your midst I am myself *at home*, having an inheritance in this the Ancient Dominion by a title of a hundred and sixty years’ descent, and cherishing towards her still the fondest feelings of filial affection, mellowed and subdued now to the love which one feels towards the mother of her who bore him. “The parted bosom clings to wonted home,” and I trust the day is far distant when Virginia shall shut her doors against her exiled children, or their descendants of her own kindred and blood.’

“The lecture was one of great ability and eloquence, and was received by the audience with evident satisfaction. *There is no man in the Congress of the United States who has at all times and under all circumstances maintained the rights and interests of his own section with such full justice to all the rights of the South, as Mr. Vallandigham.*”

On the 24th of December he wrote thus to his wife:—

“... To-morrow will be Christmas day, and I am home-



sick, and heart-sick too. I see no hope even of peace, much less of adjustment of difficulties. Every day proves still more clearly that it is the fixed purpose of the Republican party not only to refuse all compromise, but to force a *civil war*. This sad calamity approaches nearer every day, and I see no way to avert it here before the 4th of March, though I *hope* we in the West shall escape it a little while longer. If we can only delay hostilities till the public mind shall apprehend the reality of the dangers which surround us, and what *civil war* means, we, I am sure, could avert it. Pugh's was a great speech and has done much good. Our *ranch* was serenaded Saturday night handsomely, and all passed off well. You will see the proceedings in the *Star*. . . . You say nothing about coming on to Cumberland soon: I think you had better not come now. It *may* be necessary in March or April for me to find you a place of safety somewhere in the mountains. Keep this quiet, but prepare your mind for it—though I still *hope* that it may not be necessary. Be brave. I am very well, and we enjoy ourselves here in our *ranch* mightily together, though very quietly, in the midst of the storms outside. I have not heard of a party, a reception, or a dinner yet; there is no heart here in any one for gayety. We spend our evenings together at home, in public duties sometimes, sometimes in reviewing and commenting upon the ancient and modern classics; and thus with a fine house, good table, and four clever fellows (Charlie Martin is now with us) we are as 'happy a family' as the times will admit. The concluding toast at dinner every day is 'to our absent wives and children.' But we would gladly spend one day a week at least *at home*.

"My love to all. Many kisses for Charlie. A happy Christmas to you all.

"Most affectionately," &c.

Mr. Vallandigham's opposition to the war was not factious, as many persons supposed; he sincerely believed that it would end in a dissolution of the Union. In January, 1861, though greatly troubled and discouraged at the condition of public affairs, he cherished a hope that war might be averted. His views and feelings on the subject are disclosed in a letter to his wife, dated —

“WASHINGTON CITY, January 27, 1861.

“ . . . I have counted up the time and find it now about five weeks till I expect to be home. In the aggregate of a lifetime it will pass but too quickly; but it seems a long time now. I dreamed of being at home this morning. I went into my room, and just as I opened the door, my dear little boy wakened and sprang into my arms, exclaiming ‘Here’s my dear blessed papa!’ and then I went down with you to the breakfast-table; and then the vision grew confused and dim, and I awoke as the pilgrim awoke, ‘and lo! it was a dream.’ I wish I was at home. I am able to do no good here—no man can; so I sit, and am obliged to sit, quiet and sorrowful, condemned as one who watches over the couch of a loved mother slowly dying with consumption, to see my country perish by inches, and without the power to save. But one thing we have gained—there will be no war now, I think; peace for the present has been secured, and I feel that I, even I, have done a great service to my country. Alone among publicmen of the Free States I took my position early in November, amidst reproach and persecution; and even when we met here on the 3d of December, no man stood by me except Pendleton and Pugh. We three began the battle for *peace*; and now already Ohio, Indiana and Illinois are with us through State conventions of the Democratic party. Other States will soon follow, and in a little while the whole people will demand peace, negotiation and the restoration of the Union. Before God I believe that if Pugh and myself had not placed ourselves in the breach, this country would have been in the midst of a civil war to-day. I feel proudly happy at this hour that I did something to prevent it. The great fight which Pugh and I made in the Ohio caucus on the night of the 17th of December, 1860, saved us that calamity—at least up to this point. God deliver us still in the future as He has in the past.”

On the 7th of February, 1861, Mr. Vallandigham introduced his proposed amendment to the Constitution, providing for a division of the States into four sections for the purpose of voting in the Senate and the Electoral College, and on the 20th of February spoke at length in its support. The following are extracts:—

"Born, Sir, upon the soil of the United States, attached to my country from earliest boyhood ; loving and revering her, with some part at least, of the spirit of Greek and Roman patriotism ; between these two alternatives, with all my mind, with all my heart, with all my strength of body and of soul, living or dying, at home or in exile, I am for the Union which made it what it is ; and therefore I am also for such terms of peace and adjustment as will maintain that Union now and forever. This, then, is the question which to-day I propose to discuss :

"How shall the Union of these States be restored and preserved ?

"Devoted as I am to the Union, I have yet no eulogies to pronounce upon it to-day. It needs none. Its highest eulogy is the history of this country for the last seventy years. The triumphs of war and the arts of peace, science, civilisation, wealth, population, commerce, trade, manufactures, literature, education, justice, tranquillity, security to life, to person, to property, material happiness, common defence, national renown, all that is implied in the blessings of liberty — these, and more, have been its fruits from the beginning to this hour. These have enshrined it in the hearts of the people ; and, before God, I believe they will restore and preserve it. And to-day they demand of us, ambassadors and representatives, to tell them how this great work is to be accomplished. . . .

"I shall vote also for the Crittenden propositions, as an experiment, and only as an experiment, because they proceed upon the same general idea which marks the Adams amendment ; and whereas, for the sake of peace and the Union, the latter would give a new security to slavery in the States, the former, for the self-same great and paramount object of Union and peace, proposes to give a new security also to slavery in the Territories south of the latitude  $36^{\circ} 30'$ . If the Union is worth the price which the gentleman from Massachusetts volunteers to pay to maintain it, is it not richly worth the small additional price which the Senator from Kentucky demands as the possible condition of preserving it ? Sir, it is the old parable of the Roman sibyl ; and to-morrow she will return with fewer volumes, and it may be at a higher price.

"I shall vote to try the Crittenden propositions, because, also, I believe that they are perhaps the least which even the

more moderate of the Slave States would under any circumstances be willing to accept; and because North, South, and West the people seem to have taken hold of them and to demand them of us, as an experiment at least. I am ready to try, also, if need be, the propositions of the Border State Committee or of the Peace Congress, or any other fair, honorable, and reasonable terms of adjustment which may so much as promise even to heal our present troubles and to restore the Union of these States. Sir, I am ready and willing and anxious to try all things and to do all things "which may become a man," to secure that great object which is nearest to my heart.

"The question, therefore, is not merely what will keep Virginia in the Union, but also what will bring Georgia back. And here let me say that I do not doubt that there is a large and powerful Union sentiment still surviving in all the States which have seceded, South Carolina alone perhaps excepted; and that if the people of those States can be assured that they shall have the power to protect themselves by their own action *within the Union*, they will gladly return to it, very greatly preferring protection within to security outside of it. Just now, indeed, the fear of danger, and your persistent and obstinate refusal to enable them to guard against it, have delivered the people of those States over into the hands and under the control of the real secessionists and disunionists among them; but give them security and the means of enforcing it; above all, dry up this pestilent fountain of slavery agitation as a political element in both sections, and, my word for it, the ties of a common ancestry, a common kindred, and common language; the bonds of a common interest, common danger, and common safety; the recollections of the past, and of associations not yet dissolved, and the bright hopes of a future to all of us, more glorious and resplendent than any other country ever saw; ay, Sir, and visions too of that old flag of the Union, and of the music of the Union, and precious memories of the statesmen and heroes of the dark days of the Revolution, will fill their souls yet again with yearnings and desires intense for the glories, the honors, and the material benefits too of that Union which their fathers and our fathers made; and they will return to it, not as the prodigal, but with songs and rejoicing, as the Hebrews returned from the captivity to the ancient city of their kings."

Referring to secession, Mr. V. said :—

“Sir, the experiment may readily be repeated. It will be repeated. And is it not madness and folly, then, to call back, by adjustment, the States which have seceded; or to hold back the States which are threatening to secede, without providing some safeguard against the renewal of this most simple and disastrous experiment? Can foreign nations have any confidence hereafter in the stability of a Government which may so readily, speedily and quietly be dissolved? Can we have any confidence among ourselves?”

Quoting Jefferson's saying in 1820 that his only consolation in view of disunion was that he would not live to weep over it, Mr. V. exclaimed :—

“Fortunate man! he did not live to weep over it. To-day he sleeps quietly beneath the soil of his own Monticello, unconscious that the mighty fabric of Government which he helped to rear — a Government whose foundations were laid by the hands of so many patriots and sages, and cemented by the blood of so many martyrs and heroes — hastens now, day by day, to its fall. What reck he, or that other great man, his compeer, fortunate in life and opportune alike in death, whose dust they keep at Quincy, of those dreadful notes of preparation in every State for civil strife and fraternal carnage; or of that martial array which already has changed this once peaceful capital into a beleaguered city? Fortunate men! they died while the Constitution yet survived, while the spirit of fraternal affection still lived, and the love of true American liberty lingered yet in the hearts of their descendants.”

In answer to a gross telegraphic misrepresentation of this proposition, Mr. V. explained and defended it in a card to the Cincinnati *Enquirer*, dated February 14, 1861, as follows :—

“My proposition looks *solely to the restoration and maintenance of the Union forever*, by suggesting a mode of voting in the United States Senate and the Electoral Colleges, by which the causes which have led to our present troubles may in the

future be guarded against *without secession and disunion*; and also the agitation of the Slavery question as an element in our national politics *be forever hereafter arrested*. My object — the sole motive by which I have been guided from the beginning of this most fatal revolution — is to MAINTAIN THE UNION, and not destroy it. When all possible hope is gone, and the Union irretrievably broken, then, but not till then, I will be for a Western Confederacy.”

As has been already intimated, these propositions were grossly misrepresented. Mr. Vallandigham had prepared in advance an abstract of them for the telegraphic agent of the Associated Press at the capital, who transmitted it correctly to the Eastern papers; but at Philadelphia the knavish agent of the Association telegraphed it to the Western press as a proposition to divide the United States into four separate republics. Mr. Vallandigham demanded a correction, but the perversion was only repeated in a form still more false. This was but the beginning of that persistent and aggravated misrepresentation in every form, by telegraph as well as otherwise, to which for years he was subjected. These propositions were amendments only to the existing Constitution. They proposed sections within the Union; not distinct nationalities or republics outside of it. The preamble itself recites, as the purpose of the propositions, that “it concerned the peace and stability of the Federal Union and Government that a division of the States into mere slaveholding and non-slaveholding sections — causing hitherto, and from the nature and necessity of the case, inflammatory and disastrous controversies upon the subject of Slavery, ending already in present disruption of the Union — should be forever hereafter ignored.” So far as any suggestion has ever been made respecting a possible future division of the

American Republic "into four distinct nationalities," it came from the pen of Lieutenant-General Scott, who even went so far as to name the probable capitals of three of the nationalities.

At the time this speech was delivered, the voice of nearly the whole country was decidedly for peace. At the opening of the session Mr. Vallandigham had found himself almost alone against "coercion," but in February the sentiment had greatly changed both in Congress and out of it. Immediate danger of civil war seemed to have passed by; yet satisfied that all hope of present adjustment was at an end, and separation or disunion an existing, though as he hoped a temporary fact, he spoke chiefly in review of the more remote and hidden but real causes which had led to the crisis, and from these sought to deduce the true nature of the searching and decisive remedies which he believed essential. But in the whirlwind of the hour, neither the House nor the country was in a temper to hear philosophy, and the speech attracted then no part of the attention which it has since received. It was appropriately entitled in the pamphlet edition published at the time, "The Great American Revolution of 1861,"—a revolution which he pronounced "the grandest and the saddest of modern times."

On the 27th of February the House proceeded to vote on the various compromise propositions before it. Mr. Kellogg, of Illinois, had submitted a proposition similar to the Missouri Compromise of 1820, but to be embodied in the Constitution. It was rejected, yeas 33, nays 158. All the yeas were Democrats and Constitutional Union men, except Mr. Kellogg himself. Mr. Vallandigham voted for the proposition.

The question then recurred on the "Crittenden Propositions," offered in the House by Mr. Clemens, of Virginia. It

was these propositions which Mr. Davis and Mr. Toombs both declared would be satisfactory to the South and avert secession. They were rejected by a vote of yeas 80, nays 113, every Democrat and Southern man, except Hindman, of Arkansas, voting for them, and every Republican without one single exception voting against them. Mr. Vallandigham voted for them.

Of the eighty who voted *for* compromise, nineteen were afterwards in either the Federal or the Confederate army; while of the one hundred and thirteen who voted *against* compromise, only six—one of them being Hindman, who became a Confederate General. The other five were in the Federal army. Had this compromise been adopted by Congress, secession would not have taken place, the civil war would not have occurred.

Mr. Vallandigham voted not only for the Crittenden Compromise propositions, but for all others which, in his own language, “so much as promised even to heal our troubles and to restore the Union of the States.” But he voted also steadily, in common with nearly the whole body of the Democratic and Conservative members, against the Force Bill and all other measures of coercion, believing that threats would avail nothing to intimidate the seceded States, while justice and fair compromise would satisfy the vast majority of their people.

On the 4th of March, 1861, Abraham Lincoln was inaugurated. His address declared the “Chicago Platform” a law unto him; but for some weeks the peace policy prevailed. Fort Sumpter was to be evacuated. The country acquiesced. The Republican press pronounced it wise — “a master-stroke of policy.” He himself said in the inaugural:—“Suppose you



go to war, you cannot fight always; and when after much loss on both sides and no gain on either you cease fighting, the identical old questions as to terms of intercourse are again upon you."

Mr. Vallandigham returned home in March, trusting that peace at least might be for the present maintained. On the 15th of that month, Mr. Douglass, who during the early part of the second session had inclined strongly towards coercion, made his memorable speech; the most statesmanlike of his life, declaring "War is disunion; war is final, eternal separation." But the necessities, if not the purposes of the Administration and of the Republican party, required civil war, and they found means to precipitate it. A fleet was sent to reinforce Fort Sumpter. South Carolina fired on the fort and compelled its surrender. The President issued his proclamation of the 15th of April, calling out seventy-five thousand militia, and in a moment the whole country was wrapped in the flames of the most terrible civil war ever waged in any age or country.

Mr. Vallandigham did not hesitate for one moment to maintain his position. It is scarcely possible to realise the howl of denunciation which forthwith was raised against him, or the ridiculous and preposterous reports — among others that his house had been destroyed and that he himself had fled — which were circulated. He noticed them in the following card: —

"DAYTON, OHIO, Wednesday, April 17.

"*To the Editor of the Enquirer:*

"I have a word for the Republican press and partisans of Cincinnati and other places abroad, who now daily falsify and misrepresent me and matters which concern me here in Dayton.

"My position in regard to this civil war, which the Lincoln Administration has inaugurated, was long since taken, is well known, and *will be adhered to to the end*. Let that be understood. I have added nothing to it, subtracted nothing from it, said nothing about it publicly, since the war began. I know well that I am right, and that in a little while 'the sober second thought of the people' will dissipate the present sudden and fleeting public madness, and will demand to know why thirty millions of people are butchering each other in civil war, and will arrest it speedily. . . . As to myself: no threats have been made to me personally; none within my hearing; no violence offered; no mob anywhere; none will be, nobody afraid of any, and every statement or rumor in regard to me circulated orally, or published in the Republican press, is basely idle and false. And now let me add, for the benefit of the cowardly slanderers of Cincinnati or elsewhere who libel me daily, that if they have any business with me, I can be found every day at any time, either at home, on the north-west corner of First and Ludlow, or upon the streets of Dayton.

"C. L. VALLANDIGHAM."

Some days later he wrote two strictly private letters to a gentleman in Cincinnati, who, having been arrested for treason upon a judicial warrant a few months afterwards, was tried before a United States Commissioner, the sole proof against him being the production of these letters. He was acquitted. The letters, very brief, contain not anything of note, except that they suggest a *fear* or *apprehension* (common to almost all men before that time) that war being disunion, nothing remained but separation. But they do not express *desire* or *wish*, or anything similar, for disunion. On the contrary, Mr. Vallandigham distinctly says that "he would watch the first favorable chance to move publicly for peace and restoration."

During the latter part of April and the months of May and June, as also for many months afterwards, at Washington, in his journeyings and at home, Mr. Vallandigham was exposed

day and night to imminent danger of personal harm or death. Even his assassination was publicly invited by men holding responsible official positions under the Administration. In his own language, "he carried his life in the hollow of his hand." His dauntless courage and the fact well known that he always went thoroughly armed, no doubt in a measure protected him.

On the 3d of May the proclamation of the President calling out volunteers, and increasing the regular army and the navy without Act of Congress, was issued. It was a bold and most dangerous usurpation, which, if submitted to without remonstrance, could end only in the final subversion of the Constitution in every part. Mr. Vallandigham immediately issued a private circular, addressed to some twenty or more of the most prominent Democratic politicians of the State, proposing a conference at Chillicothe on the 15th of the month, to concert measures to arouse the people to a sense of the danger which was so imminent from the bold conspiracy to usurp all power into the hands of the Executive, and thus to "rescue the Republic from an impending military despotism." But four answers were received; three favorable, and one adverse to the conference. It was not held.

On the 9th of May, Messrs. Richard H. Hendrickson, N. G. Oglesby, John McClellan, and others, his constituents, addressed him a letter requesting his opinion on certain points connected with the war. To this he replied on the 13th. He first quoted from the speech of the Hon. Stephen A. Douglass in the Senate of the United States, March 15, 1861:—

"Sir, the history of the world does not fail to condemn *the folly, weakness, and wickedness of that Government which drew its sword upon its own people when they demanded guarantees for*

*their rights.* This cry, that we must have a Government, is merely following the example of the besotted Bourbon, who never learned anything by misfortune, never forgave an injury, never forgot an affront. Must we demonstrate that we have got a Government, and coerce obedience without reference to the justice or injustice of the complaints? Sir, whenever ten million people proclaim to you, with one unanimous voice, that they apprehend their rights, their firesides, and their family altars are in danger, it becomes a wise Government to listen to the appeal and to remove the apprehension. *History does not record an example where any human Government has been strong enough to crush ten millions of people into subjection when they believed their rights and liberties were imperilled, without first converting the Government itself into a despotism, and destroying the last vestige of freedom."*

Having quoted the above and several other paragraphs from that speech, he says: --

"Those were the sentiments of the Democratic party, of the Constitutional Union Party, and of a large majority of the Republican presses and party, only six weeks ago. They were mine: I voted them repeatedly along with every Democrat and Union man in the House. I have seen nothing to change, much to confirm them since; especially in the secession, within the last thirty days, of Virginia, Arkansas, North Carolina, and Tennessee, taking with them four millions and a half of people, immense wealth, inexhaustible resources, five hundred thousand fighting men, and *the grave of Washington and of Jackson.* I shall vote them again.

"Waiving the question of the doubtful legality of the first proclamation of April 15th, calling on the militia for 'three months,' under the Act of 1795, I will yet vote to pay them, because *they* had no motive but supposed duty and patriotism to move them; and, moreover, they will have rendered almost the entire service required of them before Congress shall meet. But the audacious usurpation of President Lincoln, for which he deserves impeachment, in daring, against the very letter of the Constitution, and without a shadow of law, to 'raise and support armies,' and to 'provide and maintain a navy,' for three or five years, by *mere executive proclamation*, I will not

vote to sustain or ratify — NEVER! Millions for defence; not a dollar or a man for aggressive and offensive civil war. . . . A public debt of hundreds of millions weighing us and our posterity down for generations, we cannot escape. Fortunate shall we be if we escape with our liberties. Indeed, it is no longer so much a question of war with the South as whether we ourselves are to have constitutions and a republican form of government hereafter in the North and West.

“In brief: I am for the CONSTITUTION first, and at all hazards; for whatever can now be saved of the UNION next; and for PEACE always as essential to the preservation of either. But whatever any one may think of the war, one thing at least every lover of liberty ought to demand inexorably: *that it shall be carried on strictly subject to the Constitution.*”

“The peace policy was tried: it arrested secession, and promised a restoration of the Union. The policy of war is now upon trial: in twenty days it has driven four States and four millions and a half of people out of the Union and into the Confederacy of the South. In a little while longer it will drive out, also, two or four more States, and two millions or three millions of people. War may, indeed, be the policy of the EAST; but peace is a necessity to the WEST.

“I would have volunteered nothing, gentlemen, at this time in regard to this civil war; but as constituents, you had a right to know my opinions and position; and briefly, but most frankly, you have them.”

Such were his sentiments, his conception of the impending dangers, and his convictions as to the final issue of the war during the first month after the proclamation, and when, amid the storm which swept over the whole land, scarcely ten men in the country dared openly and publicly to confess that they were of the same opinion.

## CHAPTER X.

### THE THIRTY-SEVENTH CONGRESS.

ON the 4th of July, 1861, the Thirty-Seventh Congress met in first or extraordinary session. The Speaker delivered a ferocious and bloodthirsty address, declaring that territorial unity must be maintained though the "waters of the Mississippi should be crimsoned with human gore, and every foot of American soil baptized in fire and blood." This atrocious sentiment was received, according to the official report, with "vociferous applause upon the floor and in the galleries, which lasted for many minutes." Indeed, the entire scene reminded one of some of the maddened spectacles exhibited by the French National and Constituent Assemblies, rather than the sitting of a Congress of sober and rational statesmen. One of the first acts of the House was to resolve that nothing not relating to the war should be in order. War became a fixed fact, and Mr. Vallandigham accepted it as such; and maintaining only his opinions and consistency of position in regard to it, he confined his opposition to the usurpations of power, illegal acts, and violations of the Constitution by the Executive. It was the purpose of the Administration leaders to prevent all debate, and there seemed to be a general disposition among the members on both sides to acquiesce. But Mr. Vallandigham was resolved to be heard. Accordingly, on the 10th of July,

the House being in Committee of the Whole, the subject under consideration *the State of the Union*, Mr. Vallandigham obtained the floor, and commenced thus:—

“*Mr. Chairman*:—In the Constitution of the United States, which the other day we swore to support, and by the authority of which we are here assembled now, it is written :

“‘All legislative powers herein granted shall be vested in a Congress of the United States.’

“It is further written, also, that the Congress to which all legislative powers granted are thus committed :

“‘Shall make no law abridging the freedom of speech or of the press.’

“And it is yet further written, in protection of Senators and Representatives in that freedom of debate here without which there can be no liberty, that —

“‘For any speech or debate in either House they shall not be questioned in any other place.’

“Holding up the shield of the Constitution, and standing here in the place and with the manhood of a Representative of the people, I propose to myself, to-day, the ancient freedom of speech used within these walls, though with somewhat more, I trust, of decency and discretion than have sometimes been exhibited here. Sir, I do not propose to discuss the direct question of this civil war in which we are engaged. Its present prosecution is a foregone conclusion ; and a wise man never wastes his strength on a fruitless enterprise. My position shall, at present, for the most part be indicated by my votes, and by the resolutions and motions which I may submit. But there are many questions incident to the war and to its prosecution about which I have somewhat to say now.”

Mr. Vallandigham continued at considerable length in exposing and denouncing Executive usurpation in bold and eloquent terms.

No speech was ever delivered in the midst of greater personal danger—not even Cicero’s oration for Milo, or Curran’s defence of Bond. The galleries and lobbies were filled

with an excited soldiery and infuriated partisans, threatening assassination. A leading Administration paper in New York had two days before declared that if an attempt was made to speak for peace, the "aisles of the hall would run with blood." Arbitrary arrests for opinion and speech had already been commenced. Almost without sympathy upon his own side of the House, and with a fierce, insolent, and overwhelming majority upon the other, Mr. Vallandigham, calm and unawed, met every peril, and spoke as firmly, solemnly and earnestly as under ordinary circumstances. He closed as follows:—

"I have finished now, Mr. Chairman, what I proposed to say at this time upon the message of the President. As to my own position in regard to this most unhappy civil war, I have only to say that I stand to-day just where I stood upon the 4th of March last, where the whole Democratic party, and the whole Constitutional Union party, and a vast majority, as I believe, of the people of the United States, stood too. I am for *peace*, speedy, immediate, honorable PEACE, with all its blessings. Others may have changed: I have not. I question not their motives nor quarrel with their course. It is vain and futile for them to question or quarrel with mine. My duty shall be discharged, calmly, firmly, quietly, and regardless of consequences. The approving voice of a conscience void of offence, and the approving judgment which shall follow 'after some time be past,' these, God help me, are my trust and my support.

"Sir, I have spoken freely and fearlessly to-day, as became an American Representative and an American citizen; one firmly resolved, come what may, not to lose his own constitutional liberties, nor to surrender his own constitutional rights in the vain effort to impose these rights and liberties upon ten millions of unwilling people. I have spoken earnestly, too, but yet not as one unmindful of the solemnity of the scenes which surround us upon every side to-day. Sir, when the Congress of the United States assembled here on the 3d of December, 1860, just seven months ago, the Senate was composed of sixty-six Senators, representing the thirty-three States of the Union,



and this House of two hundred and thirty-seven members — every State being present. It was a grand and solemn spectacle; the ambassadors of three and thirty sovereignties and of thirty-one millions of people, the mightiest republic on earth, in general Congress assembled. In the Senate, too, and this House, were some of the ablest and most distinguished statesmen of the country: men whose names were familiar to the whole country — some of them destined to pass into history. The new wings of the Capitol had but just recently been finished, in all their gorgeous magnificence; and, except a hundred marines at the navy-yard, not a soldier was within forty miles of Washington.

“Sir, the Congress of the United States meets here again to-day; but how changed the scene! Instead of thirty-four States, twenty-three only, one less than the number forty years ago, are here or in the other wing of the Capitol. Forty-six Senators and one hundred and seventy Representatives constitute the Congress of the now United States. And of these, eight Senators and twenty-four Representatives from four States only, linger here yet as deputies from that great South which from the beginning of the Government contributed so much to mould its policy, to build up its greatness, and to control its destinies. All the other States of that South are gone. Twenty-two Senators and sixty-five Representatives no longer answer to their names. The vacant seats are indeed still here, and the escutcheons of their respective States look down now solemnly and sadly from these vaulted ceilings. But the Virginia of Washington and Henry and Madison, of Marshall and Jefferson, of Randolph and Monroe, the birth-place of Clay, the mother of States and of Presidents; the Carolinas of Pinckney and Sumter and Marion, of Calhoun and Macon; and Tennessee, the home and burial-place of Jackson; and other States, too, once most loyal and true, are no longer here. The voices and footsteps of the great dead of the past two ages of the Republic, linger still, it may be in echo, along the stately corridors of this Capitol, but their descendants from nearly one-half of the States of the Republic will meet with us no more within these marble halls. But in the parks and lawns, and upon the broad avenues of this spacious city, seventy thousand soldiers have supplied their places; and the morning drum-beat from a score of encampments within sight of this beleaguered capital, give

melancholy warning to the representatives of the States and of the people, that **AMID ARMS LAWS ARE SILENT.**

"Sir, some years hence, I would fain hope some months hence, if I dare, the present generation will demand to know the cause of all this; and some ages hereafter the grand and impartial tribunal of history will make solemn and diligent inquest of the authors of this terrible revolution."

A very large number of copies of this speech was circulated in various forms, North and South, and it was published also in England and on the continent. The peroration has been especially admired, but it fell upon hostile or unwilling ears. His fit audience was to be gathered in the presence-chamber of Time. But comparative freedom of speech, which otherwise might have perished, was made secure, at least within the halls of Congress.

At the conclusion of his speech, in reply to a question by Mr. Holman, of Indiana, in regard to supporting the Government, Mr. Vallandigham said he would answer in the words of the following resolution, which he had prepared, and proposed to offer at a future time:—

*"Resolved, That the Federal Government is the agent of the people of the several States composing the Union; that it consists of three distinct departments—the legislative, the executive, and the judicial—each equally a part of the Government, and equally entitled to the confidence and support of the States and the people; and that it is the duty of every patriot to sustain the several departments of the Government in the exercise of all the constitutional powers of each which may be necessary and proper for the preservation of the Government in its principles and in its vigor and integrity, and to stand by and defend to the utmost the flag which represents the Government, the Union, and the country."*

On the 7th of July, Mr. Vallandigham's courage and presence of mind were severely tested. He that day visited the

Ohio camps on the west side of the Potomac, where several hundred of his constituents were stationed. Soon after arriving upon the grounds, some members of a Cleveland company approached and notified him to leave. He refused indignantly: a tumult ensued. Several of the officers and a large majority of the men soon rallied to his support, and the rioters retired to their own limits. He remained an hour or two, and then returned to Washington. The following despatch in relation to the matter was forwarded to Baltimore and Philadelphia:—

*“Alexandria, July 7, 1861.—*Mr. Vallandigham, member of Congress from Ohio, visited the Ohio regiments to-day. While in the camp of the first regiment, a disposition was shown by many to oust him, and, notwithstanding the nerve and courage shown by Mr. Vallandigham, it is probable they would have succeeded but for the protection afforded him by the Dayton companies and a pass from General Scott. He finally retired to the camp of the second regiment, after declaring himself as good a Union man as any of them, and expressing his scorn for the mob-spirit shown by his fellow-citizens.”

False reports in regard to this affair were widely circulated by the Republican press, but the account given in the above despatch is substantially correct, except that it ought to have been stated that the disposition to oust Mr. Vallandigham was confined to a single company from Cleveland.

Pending the consideration of the Volunteer Army Bill, on the 12th of July, Mr. Vallandigham moved to strike out from the section relating to chaplains the words “Christian denomination,” and instead thereof to insert “religious society.” He said:—

“I do it, Mr. Chairman, because there is a large body of men in this country, and one growing continually, of the Hebrew faith, whose rabbis and priests are men of great learn-

ing and unquestioned piety, and whose adherents are as good citizens and as true patriots as any in the country, but who are excluded by this section; and because also under the Constitution of the United States, Congress is forbidden to make any law respecting the establishment of a State religion. While we are in one sense a Christian people, and yet in another sense not the most Christian people in the world, this is yet not a "*Christian Government*," nor a government which has any connection with any one form of religion in preference to any other form: I speak, of course, in a political sense alone. For these reasons I move the amendment: while confining it to religious societies, it will leave the appointment open to those at least who are of the Hebrew faith, and who by the terms of the bill are unjustly and without constitutional warrant excluded from it."

The amendment was rejected.

On the same day Mr. Vallandigham moved the following proviso to the same bill, accompanying it with a few remarks. It was before any serious battle had been fought between the contending parties:—

"*Provided further*, That before the President shall have the right to call out any more volunteers than are already in the service, he shall appoint seven commissioners, whose mission shall be to accompany the army on its march, to receive and consider such propositions, if any, as may at any time be submitted from the executive of the so-called Confederate States, or of any one of them, looking to a suspension of hostilities and the return of said States, or any one of them, to the Union, and to obedience to the Federal Constitution and authority.'

"Mr. Chairman, I do not rise to debate this question at length—the hour for that discussion has not yet come—but simply to remind gentlemen on both sides of the House that when, four years ago, the obscure and far distant Territory of Utah, with little less than one hundred thousand inhabitants, and insignificant in power and resources, was in armed rebellion against the Government of the United States, the President

appointed two commissioners to accompany the army upon a like mission of generous forbearance and humanity.

"*Mr. Lovejoy.*—I make the point of order that the amendment is irrelevant.

"*The Chairman.*—The Chairman overrules the point of order.

"*Mr. Vallandigham.*—I rise simply to remind the House of that significant fact, and to inquire whether if, in a case like that, where the lives and fortunes of a people so few, so insignificant, and so odious in their manners and their institutions, were concerned, this great and powerful Government thought it becoming, in a spirit of justice and moderation, to send commissioners to accompany, and indeed to precede, the army on its march, for the purpose of receiving propositions of submission and of return to obedience to the authority of the Federal Government, we ought not now, in this great revolution — this great rebellion, if you prefer the word — to exhibit somewhat also of the same spirit of moderation and forbearance; and while the legislative department is engaged in voting hundreds of thousands of men and hundreds of millions of dollars, we ought not, bearing the sword in one hand, to go forth with the olive branch in the other?

"I offer the amendment in good faith, and for the purpose of ascertaining whether there be such a disposition in the House. *For my own part, Sir, while I would not in the beginning have given a dollar or a man to commence this war, I am willing — now that we are in the midst of it without any act of ours — to vote just as many men and just as much money as may be necessary to protect and defend the Federal Government. It would be both treason and madness now to disarm the Government in the presence of an enemy of two hundred thousand men in the field against it. But I will not vote millions of men and money blindly, for bills interpreted by the message and in speeches on this floor to mean bitter and relentless hostility to and subjugation of the South. It is against an aggressive and invasive warfare that I raise my vote and voice. I desire not to be misunderstood. I would suspend hostilities for present negotiation, to try the temper of the South — the Union men, at least, of the South. But as the war is upon us, there must be an army in the field; there must be money appropriated to maintain it; but I will give no more of men and no more of money than is*

necessary to keep that army in the position and ready to strike, until it can be ascertained whether there is a Union sentiment in the South, and whether there be indeed any real and sober and well-founded disposition among the people of those States to return to the Union and to their obedience to the authority of this Government. I trust that this amendment will receive that consideration which I believe it justly deserves."

And yet, incredible as it may seem, this proposition to appoint commissioners *solely* for the purpose of a *restoration of the Union* by the return of the seceded States, received only twenty-one votes!

On the 19th of July, *before* the battle of Bull Run, Mr. Crittenden asked unanimous consent to offer the following resolution:—

"*Resolved*, That the present deplorable civil war has been forced upon the country by the disunionists of the Southern States, now in revolt against the Constitutional Government, and in arms around the Capital; that in this national emergency, Congress, banishing all feeling of mere passion and resentment, will recollect only its duty to the whole country; that this war is not waged on their part in any spirit of oppression or for any purpose of conquest or subjugation, or purpose of overthrowing or interfering with the rights or established institutions of those States, but to defend and maintain the supremacy of the Constitution, and to preserve the Union, with all the dignity, equality, and rights of the several States unimpaired; and that as soon as these objects are accomplished, the war ought to cease."

Mr. Thaddeus Stevens objected. On the 22d of July, the day *after* the battle of Bull Run, Mr. Crittenden again offered it, and this time it was received without objection. A separate vote was had upon the first part of the resolution in these words:—"That the present deplorable civil war has been forced upon the country by the disunionists of the Southern States now

in revolt against the Constitutional Government, and in arms around the Capital."

Mr. Vallandigham refused to vote *for* it, upon the ground that it did not tell the whole truth and include "the disunion Abolitionists of the Northern and Western States." He did not vote *against* it, because it was true in part. It passed, yeas 121, nays 2—Burnett, of Kentucky, and Reid, of Missouri.

The second part of the resolution was then voted upon, and passed, yeas 117, nays 2—Potter, of Wisconsin, and Riddle, of Ohio, both Republicans. Mr. Vallandigham voted for it. The terrible defeat at Bull Run secured this unanimity. Three days before, scarcely a single Republican would have voted for this resolution, at least for the latter part of it; now it passed with only two dissenting voices.

The Military Academy Bill being under consideration, Mr. Vallandigham denounced the new-fangled oath of allegiance which it proposed to require of the cadets. "I am especially opposed," he said, "to the unheard-of and execrable oath required by one of its sections. There is no inconsistency, not the slightest, between the allegiance which every man owes to the State in which he lives and that which he bears to the United States; they are perfectly reconcilable. Yet it requires the renunciation of the allegiance which every cadet owes by birth or adoption to his State. It is an oath which ought not to be required of any young man of honor, or of any citizen of a free country. I denounce it, too, as unconstitutional. All that that instrument provides for, is an oath to support it." Here his remarks were arrested and declared out of order, whereupon he resumed his seat, saying, "Then, Sir, I propose to discuss it in that *Great Hereafter* to which I have so often had occasion of late to appeal."

Before the adjournment he introduced a joint resolution providing for the calling of a Convention of the States, to adjust all controversies in the mode prescribed by the Constitution; but never during the entire Congress was able to secure any action upon it. He had taken a most active and vigilant part in the proceedings throughout the session; and although with the sympathy and support of but some eight or ten members, was always upon the alert, and on the day of the adjournment was aptly described by a Republican member as "the young man standing in the aisle, where he has stood nearly all the session — on the frontier." The House adjourned on the 6th of August, and the adjournment was followed by one of those periodic and spasmodic reigns of terror with which the Administration so often afflicted the country during the war. But Mr. Vallandigham was not molested. In contempt of all threats of violence he addressed several public meetings in his own district, during and after the canvass which resulted in overwhelming defeat to the Democratic party in every State.

Congress met in second session on the 2d of December, 1861, and the House in hot haste endorsed the act of Captain Wilkes in seizing Mason and Slidell on board the British mail-steamer *Trent*. On the 15th of December, the news of the storm of indignation in England was received. Mr. Vallandigham determined to expose the shallow but blustering and cowardly statesmanship of the Abolition party in the House. Accordingly, the next day, remarking that he "regretted and would have opposed, had he had the power, and prevented the Administration and this House from the folly of taking a position in advance upon the question, but that it



was too late now to retreat," offered a resolution pledging the House to support the President "in upholding now the honor and vindicating the courage of the Government and people of the United States against a foreign power." But a great change had come over the spirit of the House, and the resolution was referred to the Committee on Foreign Affairs by a vote of yeas 109, nays 16; all of the latter Democrats, eight of them from Ohio. On the next day the following colloquy occurred:—

*Mr. Colfax.*—"I am still in favor of meting out the same treatment to them [Mason and Slidell] as Colonel Corcoran received."

*Mr. Vallandigham.*—"These men will be surrendered before three months in the face of a threat. I make that prediction here to-day."

*Mr. Colfax.*—"I disbelieve it."

*Mr. Cox.*—"I hope that the prediction of my colleague will never be fulfilled."

On the 29th of December, twelve days afterwards, they were surrendered upon a peremptory demand, and in the face of a threat.

On the 7th of January, 1862, the subject was again brought before the House, and in strong terms Mr. Vallandigham denounced the surrender of Mason and Slidell under a threat. He was assailed, personally, as to his war record, by John Hutchins, of Ohio, the successor of Joshua R. Giddings. The following is an extract from his remarks in reply:—

"But I rose, Sir, to allude for a moment to what was said some time ago by my colleague from the Ashtabula district [Mr. Hutchins.] His remarks were not, at first, even deserving of any very special reply; and after the lapse of half an

hour, I shall forbear some things which I might have said had the floor been assigned to me at the moment.

“In answer to his proposition, that a war with England must result in a recognition of the Confederate States, and disruption permanently of this Union, I have only to say to him, as I said the other day to a gentleman from Indiana, that it became him, and all others concerned, to have thought of that on the first day of the session, when no less than three several resolutions, directly or indirectly endorsing the act of Captain Wilkes, passed this House without opposition. I did not at the time approve of the resolution of thanks submitted by the gentleman from Illinois [Mr. Lovejoy], and I looked around me in anxious suspense to observe whether there was courage or statesmanship enough on the other side of the House to interpose an objection to it; but there was none. I offered none. Had I objected, the cry would have again gone forth, ‘Behold the enemy of his country, always against her!’ I had no responsibility that required me to interfere, and I did not. Then was the time, so far as this House was concerned, to have paused; and so far as regards this Administration, it was their duty to have acted when Captain Wilkes first anchored the *San Jacinto* at Fortress Monroe. The law of the case on the 12th of November last was precisely what the law was on the 27th of December following. The facts were just as well known and understood four-and-twenty hours after the arrival of these men upon our coast as they were understood and known when the despatch of the Secretary was written and the surrender made. Honor would have been saved, and a savor of grace imparted by a voluntary discharge at the first’.

“That is my reply; and if I am to be charged with the desire of giving aid and comfort to the Southern Confederacy by maintaining the honor and dignity of my own country against a foreign foe, I hurl back the charge defiantly into the teeth of all who were concerned, directly or indirectly, openly or tacitly, in the resolutions of the first day of this session. It is too late now, Sir, to meet me with this mean and beggarly insinuation. I have had enough of it outside of this House, and will submit to none of it here.

“Mr. Chairman, I will not imitate the bad manners nor the breach of parliamentary decorum of which the member over

the way was guilty, by an inquiry into his Abolition-disunion record for the past fifteen years, as very well I might. As to my motives, he is not the judge, nor is any other member of this House. I have appealed to the future, and I calmly await its judgment.

"As to my record here at the extra session, or during the present session, it remains, and will remain. I do neither retract one sentiment that I have uttered, nor would I obliterate one vote that I have given. I speak of the record as it will appear hereafter, and indeed stands now, upon the Journals of this House and in the *Congressional Globe*. And there is no other record, thank God, and no act, or word, or thought of mine, and never has been, from the beginning, in public or in private, of which any patriot ought to be ashamed. Sir, it is the record as I made it, and as it exists here to-day; and not as a mendacious and shameless press have attempted to make it up for me. Let us see who will grow tired of his record first. Consistency, firmness, and sanity in the midst of general madness—these made up my offence. But 'Time, the avenger,' sets all things even; and I abide his leisure."

On the 15th of January Mr. Vallandigham spoke upon the question of public debt and the finances. The following is an extract:—

"Sir, this is immeasurably the most momentous of all the questions which are before us; and whoever fails to meet and to grapple with it boldly and to the full extent, *is a disunionist*; for bankruptcy is disunion and dissolution in the worst form, and will bring the war to an instant end; *not as I would have it, by adjustment, fair compromise and a restoration of the Union*, but by immediate, eternal and ignominious separation."

On the 3d of February he addressed the House on the subject of finances and the United States Note or "Legal Tender" Bill, in a searching and exhaustive argument against a forced Government paper currency; predicting the inevitable result—depreciation and final explosion. We make some extracts:—

“Sir, I recant nothing, and would expunge nothing from the record of the past, so far as I am concerned. But my path of duty now, as a Representative, is as clear as the sun at broad noon. The ship of State is upon the rocks. I was not the helmsman who drove her there; nor had I part or lot in directing her course. But now, when the sole question is how shall she be rescued? I will not any longer, or at least just now, inquire who has done the mischief. So long as they who hold control insisted that she was upon her true course and in no danger, but prosperously upon her voyage, though in the midst of the storm, I had a right to resist and denounce the madness which was driving her headlong to destruction. But now that the shipwreck stands confessed, I recognise, and here declare, it to be as much my duty to labor for her preservation as it is theirs who stranded her upon the beach. Within her sides she bears still all that I have or hope for, now or hereafter, in this life; and he is a madman or a traitor who would see her perish without an effort to save. Whoever shrinks now is responsible also for the ruin which shall follow.

“Here, Sir, is one of the Continental bills of November, 1776. It bears small resemblance to the delicate paper issues and exquisite engraving of the present day in the United States. It smacks a little of the poverty of ‘Dixie’—as is said. Instead of the effigy of Lincoln, it bears on its face a veritable but rudely carved woodcut of the wild boar of the forest. It was bad money, Sir, but issued in a noble cause. It is redolent of liberty; it smells of *habeas corpus*, free speech, a free press, free ballot, the right of petition, the consent of the governed, the right of the people to govern, public indictment, speedy public trial by jury, and all the great rights of political and individual liberty for which martyrs have died and heroes contended for ages—although I am not quite sure, Sir, that even now it is altogether without somewhat of the odor of rebellion lingering about it.

“There is not a member of this House, I take it for granted, who does not desire and hope and look for an ultimate, if not speedy restoration of the Union of these States, just as our fathers made it. If there be one who does not, no matter on which side of the House he sits, **HE HAS NO BUSINESS HERE.** I have differed with the Administration as to the means, and differ widely still, but never as to the end; *if re-union,*

*the old Union, be indeed the end and purpose for which they are contending.* But I repeat it, bankruptcy is disunion and dissolution in the worst form, and would instantly end the war, the Government and the Union forever.

“Finally, Sir, if the Committee and the House shall proceed upon the principles of justice and sound political economy which have been hitherto observed by every wise Government, and above all by this Government from the beginning in the maintenance of its credit and good faith, I will lend a ready and an earnest support to every measure framed in conformity with these principles, and intended and calculated to build up and to sustain the public credit and good faith. Otherwise I cannot and will not vote to bring down upon the wretched people of this once happy and prosperous country, the triple ruin of a forced currency, enormous taxation, and a public debt never to be extinguished.”

Just at this time, such and so great had been the flood of denunciation and falsehood poured out upon him, that it is safe to say that in Congress and out of it he was the most unpopular, best abused, most execrated man in America. He was himself fully conscious of the fact; and one of the opening paragraphs of the speech freely confesses it. “Nor am I to be deterred,” he said, “from a faithful discharge of my duty by the consciousness that my voice may not be hearkened to here or in the country, because of the continued, persistent but most causeless and malignant assaults and misrepresentations to which for months past I have been subjected. Sir, I am not here to reply to them to-day; neither am I to be driven from the line of duty by them. Strike, but hear.” He was barely listened to in the House; yet the speech was received very favorably among the better class of bankers and financiers in New York and Boston.

On the 19th of February, Mr. Hickman, of Pennsylvania,

offered a resolution "instructing the Committee on the Judiciary to inquire into the truth of certain charges of disloyalty made in the local columns of a Baltimore newspaper against C. L. Vallandigham, of Ohio." The debate that ensued was interesting and exciting. We give a full report that all may see the extent and magnitude of the charges of disloyalty, as presented by one of the shrewdest and most cunning of the Abolition members.

The resolution above referred to having been offered, Mr. Vallandigham said :—

"I was just waiting for an opportunity to call the attention of the House to that statement myself, having received it from some unknown source a moment ago. I do not know, of course, what the motive just now of the gentleman from Pennsylvania may be, nor do I care. My purpose then was just what it is now, to give a plain, direct, emphatic contradiction—a flat denial to the infamous statement and insinuation contained in the newspaper paragraph just read. I never wrote a letter or a line upon political subjects, least of all on the question of secession, to the Baltimore *South*, or to any other paper, or to any man south of Mason and Dixon's line since this revolt began—never; and I defy the production of it. It is false, infamous, scandalous; and it is beyond endurance, too, that a man's reputation shall be at the mercy of every scavenger employed to visit the haunts of vice in a great city, a mere local editor of an irresponsible newspaper, who may choose to parade before the country false and malicious libels like this. I avail myself of this opportunity to say that I enter into no defence, and shall enter into none, until some letter shall be produced here which I have written, or authorised to be written, referring to 'bleeding Dixie,' or any suggestion 'how the Yankees might be defeated.' If any such are in existence, I pronounce them here and now utter and impudent forgeries. I have said that I enter upon no defence. I deny that it is the duty or the right of any member to rise here and call for investigation founded upon statements like this; and I only regret that I did not have the opportunity to denounce this report before the

Chairman of the Committee on the Judiciary rose, and in this formal manner called the attention of the House to it — himself the accuser and the judge. Sir, I have been for five years a member of this House, and I never rose to a personal explanation but once, and that to correct a report of the proceedings of the House. I have always considered such mere personal explanations and controversies with the press as unbecoming the dignity of the House.

“Nevertheless, I did intend to make this the first exception in my congressional career, and to say — and I wish my words reported, not only at the desk here officially, but in the gallery — that I denounce in advance this foul and infamous statement that I have been in treasonable, or even suspicious correspondence with any one in that State — loyal though it is to the Union — or in any other State, or have ever uttered one sentiment inconsistent with my duty, not only as a member of this House, but as a citizen of the United States — one who has taken a solemn oath to support the Constitution, and who, thank God, has never tainted that oath in thought, or word, or deed. I have had the right, and have exercised, and as God liveth and my soul liveth, and as He is my judge, I will exercise it still in this House and out of it in vindicating the rights of the American citizen; and beyond that I have never gone. My sentiments will be found in the records of the House, except as I have made them public otherwise, and they will be found nowhere else. There, Sir, is their sole repository. And foreseeing more than a year ago, but especially in the early part of December last, the magnitude and true character of the revolution or rebellion into which this country was about to be plunged, I then resolved not to write, although your own mails carried then the letters, nor have I written one solitary syllable or line — as to the Gulf States months even before secession began — to any one residing in a seceded State. And yet the gentleman avails himself now of this paragraph to give dignity and importance to charges of the falsest and most infamous character. Had the letter been produced; had the charge come in any tangible or authentic shape; had any editor of any respectable newspaper, even, endorsed the charge as specific, there might have been some apology; but the gentleman knows well that this charge was placed in the local columns of an irresponsible newspaper, put there by some person who had

never seen any such letter. I meet this first specific charge of disloyalty, made responsible here—I meet it at the very threshold, as becomes a man and a Representative—by an emphatic but contemptuous denial. This is due to the House; it is due to myself.

*“Mr. Richardson.*—I hope the gentleman from Pennsylvania will allow me to make a single remark.

*“Mr. Hickman.*—Certainly.

*“Mr. Richardson.*—Mr. Speaker, I want to hear nothing about disloyalty on this side of the House while there is a class of members here upon the other side of the House who have declared that they will vote for no proposition to carry on the war unless it is prosecuted in a particular line, and for the abolition of slavery. They would subvert the Constitution and the Government, and I denounce them as traitors, and they ought to be brought to trial, condemnation, and execution.

*“Mr. Hickman.*—Mr. Speaker, the motives which actuated me in introducing the resolution in question ought not to be doubted. The severe charge contained in the article in question is made against the gentleman from Ohio, a member of this House. Even a suspicion, a mere suspicion, would justify such an investigation as this resolution contemplates. But the gentleman from Ohio, as well as other members upon this floor, knows that the suspicions which have existed against him—I do not say whether justly or unjustly—have been numerous, and in circulation for a long time past. It is the duty of this House to purge itself of unworthy members. I do not assert whether the gentleman from Ohio occupies properly or improperly his seat upon this floor. By offering this resolution I do not prejudge him. If he were the most intimate friend I had on earth, accused as the gentleman from Ohio is in the paragraph in question, I should deem it my solemn duty to urge the investigation which is here suggested. But, Sir, this charge does not come in a very questionable shape. It appears as an original article in the *Baltimore Clipper*, and is therefore presumed to be editorial, or at least under the supervision of the editor. It, to all appearances, emanates from a responsible source.

*“But, Sir, I suggest further that the suppression of the newspaper in question, the Baltimore South, and the seizure of its office of publication, was made under the direct authority*



of the Government, and it is to be presumed that the effects of the office are at this time in the custody of the Government or of the agents of the Government, and, therefore, the information communicated in this paper must have come through the Government or the agents of the Government. It is responsible in its origin, as far as we can judge. Now, Sir, I refer the gentleman from Ohio, as my answer to the suggestion that I was not justified in offering this resolution under the circumstances, to page 69 of the last edition of the Manual. The first paragraph of section thirteen, headed 'Examination of Witnesses,' reads as follows:

" 'Common fame is a good ground for the House to proceed to inquiry, and even to accusation.'

"This, Sir, is more than common fame. I repeat that it is, so far as it appears, a direct charge by the editor of a responsible newspaper. The information comes, we must believe, through the Government or the agents of the Government, and it is therefore more than common fame. It is good ground at least for instituting an inquiry.

"*Mr. Vallandigham.*—I desire to ask the gentleman from Pennsylvania whether he does not know that this is a mere local item, and that the author of it does not even pretend to have seen the letters.

"*Mr. Hickman.*—I do not understand what the gentleman means by saying that the author of the paragraph has not seen them.

"*Mr. Vallandigham.*—I say he does not profess to have seen them, and I *know* that he never did, for they never were written, do not now exist, and never did exist.

"*Mr. Hickman.*—Who never saw them?

"*Mr. Vallandigham.*—The author of that paragraph in the local columns of this newspaper.

"*Mr. Hickman.*—He never saw the letters?

"*Mr. Vallandigham.*—He does not profess even to have seen them.

"*Mr. Hickman.*—Whether it is a local item or not, it is an original article in a responsible newspaper, and is therefore presumed to have been inserted under the direct supervision of the editor, if not written by him.

"*Mr. Vallandigham.*—The gentleman from Pennsylvania

has alluded to suspicions existing in former times. Now, I desire to know of him whether he ever heard of any specific item on which any such suspicions ever rested — anything other than words spoken in this House or made public over my own name?

“*Mr. Hickman.*—Yes, Sir.

“*Mr. Vallandigham.*—Well, let us have it.

“*Mr. Hickman.*—I have heard a thousand.

“*Mr. Vallandigham.*—Name a single one.

“*Mr. Hickman.*—I do not desire to do any injustice to the gentleman from Ohio.

“*Mr. Vallandigham.*—I have asked the gentleman, and I desire a direct answer to my question, whether he can specify one single item?

“*Mr. Hickman.*—I will reply to it directly.

“*Mr. Vallandigham.*—Or does the gentleman mean merely the newspaper slanders that have been published against me, and which I have denounced as false, over and over again, in cards and on the floor of this House?

“*Mr. Hickman.*—I know nothing about that, Sir. I know that suspicions may well exist, and I know they do exist, where denials accompany them.

“*Mr. Vallandigham.*—Yes; I know that fact in the gentleman's own case.

“*Mr. Hickman.*—I have no controversy with the gentleman from Ohio, nor am I here to defend myself in the course which I have taken. Let him defend himself, and allow me to take care of myself, as I expect to be able to do.

“*Mr. Richardson.*—Will the gentleman from Pennsylvania allow me —

“*Mr. Hickman.*—I will not suffer any interruption except by the gentleman from Ohio. He has a right to interrupt me, and I am glad he does so, because I do not want to put the gentleman from Ohio in any false position any more than I would desire to be myself placed in one; and I will not do it. I do say, most distinctly, that suspicions have existed against the loyalty of the gentleman from Ohio; and I would not have referred to them at all if I had not been satisfied that he himself knew of the existence of those suspicions as well as I did. Indeed, the remarks which preceded my rising on this floor indicated the fact more clearly than I myself could in-

dicating it by anything that I could say, that he was in possession of a knowledge of the existence of those suspicions, for he got up to repel them, not merely such as are contained in this article in question, but in general terms—general suspicions and imputations against his character. That was deemed right by him, Sir. I have nothing to say against it.

“Now, the gentleman asks for specifications. I am called upon by him to refresh my memory, and to give an instance. I will give him one or two. I may not be able to give more at this time. Perhaps, if he were to give me time, I would be able to refer him to many more instances.

“*Mr. Vallandigham.*—Mr. Speaker—

“*Mr. Hickman.*—The gentleman must allow me to answer his question, and then he may interrupt me. I must reply to one inquiry at a time. I am now on the witness-stand—brought to it by the gentleman from Ohio. I am on cross-examination, and he must allow me to answer one question before he propounds to me another. Now, Sir, I refer to the fact of the Breckenridge meeting in the city of Baltimore, where the gentleman from Ohio attended, and which gave rise to very many suspicions, allow me to say; at least, I have heard a great many expressed. Allow me again to refer to the fact of his attending a certain dinner in Kentucky, which was given, I believe, in his honor, or which was, at least, published as such in the papers.

“*Mr. Vallandigham.*—Allow me, right there—

“*Mr. Hickman.*—Allow me first—

“*Mr. Vallandigham.*—That is a specific fact, which I wish to answer.

“*Mr. Hickman.*—Not this moment.

“*Mr. Vallandigham.*—I appeal to the gentleman's honor.

“*Mr. Hickman.*—I will treat the gentleman from Ohio fairly. He must receive all my answer before he asks me another question.

“*Mr. Vallandigham.*—Let him oblige me by replying to me specifically.

“*Mr. Hickman.*—I am not done with my answer, and I refuse to yield the floor until I finish my answer. I am entitled to be treated here properly, as well as the gentleman from Ohio. I will extend to him all the courtesy that can possibly be demanded by any gentleman. That is my habit,

I trust. There are many other items. There was the speech which the gentleman made at the July session in this House — a speech which was understood to be one of general accusation and crimination against the Government and against the party having the conduct of this war. It gave rise to a great many suspicions; and the gentleman from Ohio, with his intelligence, ought not to be ignorant of all these facts. Well, Sir, will not conversations naturally arise in consequence of these facts? And I appeal to every member of this House whether they have not heard suspicion upon suspicion against the loyalty of the gentleman from Ohio. Is it not a common rumor, Sir, that he is suspected? I allege that it is a common rumor in the Northern States, and among the loyal people of the loyal States, that the gentleman from Ohio is, at least, open to grave suspicion, if not direct imputation. That is my answer. Now I will hear the gentleman.

“*Mr. Vallandigham.*—In reply to the specification, and the only one which the gentleman has been able to point out, relating to a public dinner in Kentucky, allow me to tell him that my foot has not pressed the soil of Kentucky since the 10th day of July, 1852, when, as a member of a committee appointed by the Common Council of the city where I reside, I followed the remains of that great and noble man, true patriot and Union man, Henry Clay, to their last resting-place. I have partaken of no dinners there or elsewhere of a political character, nor did I ever attend any Breckenridge meeting at Baltimore or elsewhere at any time. This is my answer to that, the only specification. And yet the gentleman dares attempt to support that falsehood, which I here denounce as such, by allusions to suspicions which have been created and set afloat throughout the whole country, not merely against me, but against hundreds and thousands of others, in whose veins runs blood as patriotic and loyal as ever flowed since the world began. I tell the gentleman that, in years past, I have heard his loyalty to the Union questioned. I have known of things which would have justified me — had I relied on authority similar to that to which he has attempted to give dignity — in introducing similar resolutions to make inquiry into his purpose to disrupt this Union by the doctrines which he has held and the opinions which he has expressed. And yet opinions and sentiments uttered here are ‘the head and front of my offending.’ It has ‘this extent: no more.’

“And, Sir, I replied, some time ago, to two others which I doubt not the gentleman would have dragged now out of the mire and slough into which they had fallen but that they were answered when thrust into debate by the gentleman before me [Mr. Hutchins]—I refer to the charge that I had once uttered the absurd declaration that the soldiery of the North and West should pass over my dead body before they should invade the Southern States. I denied it then, and will not repeat the denial now.

“Nor need I refer again to that other charge that I had uttered, in debate here or elsewhere, the sentiment that I preferred peace to the Union; I have heretofore met that charge with a prompt and emphatic contradiction, and no evidence has been found to sustain it. Referring to that and other charges and insinuations on the 7th of January last, I said to my colleague:

“‘As to my record here at the extra session or during the present session, it remains and will remain.’

“And just here, Sir, in reference to the speech to which the gentleman alluded, delivered on this floor in the exercise of my constitutional right as a member of this House, on the 10th of July last, I defy him—I hurl the defiance into his teeth—to point to one single disloyal sentiment or sentence in it. I proceeded to say, further, on the 7th of last month:

“‘I do neither retract one sentiment that I have uttered, nor would I obliterate a single vote which I have given. I speak of the record as it will appear hereafter, and indeed stands now upon the Journals of this House and in the *Congressional Globe*. And there is no other record, thank God, and no act or word or thought of mine, and never has been from the beginning, in public or private, of which any patriot ought to be ashamed. Sir, it is the record as I made it, and as it exists here to-day; and not as a mendacious and shameless press have attempted to make it up for me. Let us see who will grow tired of his record first. Consistency, firmness, and sanity in the midst of general madness—these made up my offence. But “Time, the avenger,” sets all things even; and I abide his leisure.’

“And am I now to be told, that because of a speech made upon this floor, under the protection of the Constitution, in the exercise and discharge of my solemn right and duty under the

oath which I have taken, that I am to-day to be arraigned here, and the accusation supported by the addition of mere vague rumors and suspicions which have been bruited over and over again, as I have said, against not myself only but against hundreds and thousands also of other most patriotic and loyal men?

"The gentleman from Pennsylvania makes the charge that I attended a certain dinner in the State of Kentucky. Sir, I was invited to that State, and have been frequently, by as true and loyal men as there are in that State to-day. I accepted no invitation, and never went at all. I have already named the last and only time when I stood upon the soil of Kentucky. But I know of nothing now—whatever there may have been in the past—certainly nothing to-day about Kentucky that should prevent a loyal and patriotic man from visiting a State which has given birth or residence to so many patriots, to so many statesmen, and to orators of such renown.

"Yet that is all the grand aggregate of the charges, except this miserable falsehood which some wretched scavenger, prowling about the streets and alleys and gutters of the city of Baltimore, has seen fit to put forth in the local columns of a contemptible newspaper; so that the member from Pennsylvania may rise in his place and prefer charges against the loyalty and patriotism of a man who has never faltered in his devotion to the flag of his country—to that flag which hangs now upon the wall over against him; one who has bowed down and worshipped this holy emblem of the Constitution and of the old Union of these States in his heart's core, ay, in his very heart of hearts, from the time he first knew aught to this hour; and who now would give life and all that he has or hopes to be in the present or the future, to see that glorious banner of the Union—known and honored once over the whole earth and the whole sea—with no stripe erased and not one star blotted out, floating forever over the free, united, harmonious old Union of every State once a part of it, and a hundred more yet unborn. I am that man; and yet he dares to demand that I shall be brought up before the secret tribunal of the Judiciary Committee—that committee of which he is Chairman, and thus both judge and accuser—to answer to the charge of disloyalty to the Union!

"Sir, I hurl back the insinuation. Bring forward the spe-

cific charge; wait till you have found something—and you will wait long—something which I have written, or something I have said, that would indicate anything in my bosom which he who loves his country ought not to read or hear. In every sentiment that I have expressed, in every vote that I have given in my whole public life, outside this House before I was a member of it, and since it has been my fortune to sit here, I have had but one motive, and that was the real, substantial, permanent good of my country. I have differed with the majority of the House, differed with the party in power, differed with the Administration, as, thank God, I do and have the right to differ, as to the best means of preserving the Union, and of maintaining the Constitution and securing the best interests of my country; and that is my offence, that the crime and the only crime of which I have been guilty.

“Mr. Speaker, if in the Thirty-fifth Congress I or some other member had seen fit to seize upon the denunciations, long-continued, bitter and persistent, against that member [Mr. Hickman]—for he too has suffered, and he too ought to have remembered in this the hour of sore persecution that he himself has been the victim of slanders and detraction, peradventure—for, Sir, I would do him the justice which he denies to me—what, I say, if I had risen and made a vile paragraph in some paper published in his own town, or elsewhere, the subject of inquiry and investigation, and had attempted to cast yet further suspicion upon him by reference to language uttered here in debate, which he had the right to utter, or by charges vague and false, and without the shadow of a foundation except the malignant breath of partisan suspicion and slander, what would have been his record in the volumes of your reports and the *Congressional Globe*, going down to his children after him? But, Sir, it is not in the power of the gentleman to tarnish the honor of my name, or to blast the fair fame and character for loyalty which I have earned, dearly earned with labor and patience and faith, from the beginning of my public career. From my boyhood, at all times and in every place, I have never looked to anything but the permanent, solid, and real interests of my country.

“Beyond this, Mr. Speaker, I deem it unnecessary to extend what I have to say. I would have said not a word but that I know this committee will find nothing, and that they will

be obliged therefore to report—a majority of them cheerfully, I doubt not—that nothing exists to justify any charge or suspicion such as the member from Pennsylvania has suggested here to-day. I avail myself of the occasion thus forced on me, to repel this foul and slanderous assault upon my loyalty, promptly, earnestly, indignantly, yes, scornfully, and upon the very threshold. Sir, I do not choose to delay week after week until your partisan press shall have sounded the alarm, and until an organization shall have been effected for the purpose of dragooning two-thirds of this House into an outrage upon the rights of one of the Representatives of the people which is without example except in the worst of times. I meet it and hurl it back defiantly here and now.

“Why, Sir, suppose that the course which the member from Pennsylvania now proposes had been pursued in many cases which I could name in years past; suppose that his had been the standard of accusation, and irresponsible newspaper paragraphs had been regarded as evidence of disloyalty or want of attachment to the Constitution and the Union: what would have been the fate of some members of this House, or certain Senators at the other end of the Capitol, in years past? What punishment might not have been meted out to the predecessor [Mr. Giddings] of my colleague on the other side of the House [Mr. Hutchings]? How long would he have occupied a seat here? Where would the Senator from Massachusetts [Mr. Sumner] have been? Where the other Senator from Massachusetts [Mr. Wilson]? Where the Senator from New Hampshire [Mr. Hale]? Where the three Senators, Mr. Seward, Mr. Chase, and Mr. Hale, two of them now in the Cabinet and the other in the Senate still, who in 1850, twelve years ago, on the 11th of February, voted to receive, refer, print, and consider a petition praying for the dissolution of the Union of these States? Yet I am to be singled out now by these very men, or their minions, for attack; and they who have waited and watched and prayed, day by day, with the vigilance of the hawk and the scent of the hyena, from the beginning of this great revolt, that they might catch some unguarded remark, some idle word spoken, something written thoughtlessly or carelessly, some secret thought graven yet upon the lineaments of my face which they might torture into evidence of disloyalty, seize now upon the foul and infectious



gleanings of an anonymous wretch who earns a precarious subsistence by feeding the local columns of a pestilent newspaper, and while it is yet wet from the press, hurry it, reeking with falsehood, into this House, and seek to dignify it with an importance demanding the consideration of the House and of the country.

"Sir, let the member from Pennsylvania go on. I challenge the inquiry, unworthy of notice as the charge is, but I scorn the spirit which has provoked it. Let it go on."

Mr. Hickman then replied briefly, and in the course of his remarks said :—

"As the gentleman nas called upon me, I will answer further. Does he not know of a camp in Kentucky having been called by his name—that disloyal men there called their camp, Camp Vallandigham? That would not indicate that in Kentucky they regarded him as a man loyal to the Federal Union.

"*Mr. Vallandigham.*—Is not there a town, and it may be a camp too, in Kentucky by the name of Hickman? [Laughter.]

"*Mr. Hickman.*—Thank God, disloyal men have never called one of their camps by my name. There are a great many Hickmans in Kentucky, but I have not the pleasure of their acquaintance. I have heard of but one Vallandigham.

"*Mr. Vallandigham.*—And there are a great many Vallandighams there too."

Mr. Hickman, after a few words further, withdrew his resolution, and there the matter ended.

This resolution, though wholly without notice, gave Mr. Vallandigham the fit occasion, long waited for, to defend himself from the suspicions and calumnies to which he had so long been exposed, and he improved it to the utmost; and with undisturbed self-possession and dignity, but in tones the most earnest and indignant, retorted with so much vigor and spirit upon his accuser that he was glad to escape by withdrawing the resolution. The rencontre was of very great advantage

to Mr. Vallandigham, and was the first break in the cloud which hitherto had rested over him. His allusion to the flag which hung above the Speaker's seat, forced admiration from even a hostile House and galleries. As he sat down he heard a friend say, "He has not made a mistake nor spoken an ill-advised word from the beginning." Friends gathered around and congratulated him on his triumph, and in the evening a large number called upon him at his residence to renew their assurances of regard and esteem, and to express their gratification at the handsome manner in which he had repelled the assault that had been made upon him.

In a letter to his wife next day, Mr. Vallandigham thus refers to the matter :—

" . . . You see by the papers this morning, I presume, that Hickman and I had a *bout* in the House yesterday. You will see it in full in the *Globe*, but cannot realise the scene. . . . I was never more gratified in my life with any result. In an instant *every* Democrat in the House took fire, resenting it as an outrage upon himself. Corning was much excited, and old Governor Crittenden was deeply interested, and was just taking the floor for a speech in my behalf when Hickman surrendered and withdrew his resolution. I never spoke or bore myself better in my life—so all say, and so I believe too—though it was a sudden emergency. Many Republicans complimented me, and last night all the Democrats of the House, except a few who could not get out, called round and spent an hour or so in congratulation. It was a signal triumph ; but the truth in regard to it will not find its way into the newspapers. Very probably it will be all misrepresented. But some day the country will understand it, just as all who were present now do. They will let me alone by-and-bye."

On the 21st of April Mr. Wade, of Ohio, attacked him in the Senate ; on the 24th Mr. Vallandigham replied in the House, and the character of the reply was such that an attempt

was made to pass a vote of censure upon him. The whole proceeding in the case, from the official record in the *Congressional Globe*, we here give:—

“HOUSE OF REPRESENTATIVES.

“THURSDAY, *April* 24th, 1862.

“*Mr. Vallandigham.*—Mr. Chairman, I have waited patiently for three days for this the earliest occasion presented for a personal explanation.

“In a speech delivered in this city the other day—not in this House—certainly not in the Senate?—no such speech could have been tolerated in an American Senate—I find the following:—

““I accuse them [the Democratic party] of a deliberate purpose to assail, through the judicial tribunals and through the Senate and House of Representatives of the United States, and everywhere else, and to overawe, intimidate, and trample under foot, if they can, the men who boldly stand forth in defence of their country, now imperilled by this gigantic rebellion. I have watched it long. I have seen it in secret. I have seen its movements ever since that party got together, with a colleague of mine in the other House as Chairman of the Committee on Resolutions—*a man who never had any sympathy with the Republic, but whose every breath is devoted to its destruction, just as far as his heart dare permit him to go.*”

“Now, Sir, here in my place in the House, and as a Representative, I denounce—and I speak it advisedly—the author of that speech as a liar, a scoundrel, and a coward. His name is BENJAMIN F. WADE.

“[After the transaction of some other business, the following proceedings took place:—]

“PERSONAL EXPLANATION.

“*Mr. Blake.*—Mr. Speaker, a short time since, when my colleague [Mr. Vallandigham] got the floor and made some desultory remarks——

“*Mr. Cox.*—What is before the House?

“*The Speaker pro tempore.*—For what purpose does the gentleman from Ohio [Mr. Blake] rise?

“*Mr. Blake.*—For a personal explanation.

“*The Speaker pro tempore.*—Is there objection?

"*Mr. Vallandigham.*—If it relates to me, I shall, of course, have the same privilege extended to me, and with that understanding I have no objection.

"*The Speaker pro tempore.*—Is there any objection to the gentleman from Ohio making a personal explanation?

"*Mr. Cox.*—I will not object if the same privilege be extended to my colleague [Mr. Vallandigham] to make a reply.

"There was no objection.

"*Mr. Blake.*—Mr. Speaker, I was not aware, when my colleague [Mr. Vallandigham] commenced his remarks, that he referred to a member of Congress. I understood him to say distinctly that no member of this House had made the remarks to which he referred, and that certainly they were not made in the Senate, because the Senate would not tolerate such remarks. I therefore paid little attention to my colleague till he came to the close of his remarks wherein he denounced a Senator from Ohio as 'a liar, a scoundrel, and a coward.' Now, I wish to call the attention of the House to the fact that my colleague perpetrated these remarks on the House under the false pretext that they were not made in reference to a member of Congress.

"*Mr. Vallandigham.*—I call the gentleman to order.

"*The Speaker pro tempore.*—On what ground does the gentleman call his colleague to order?

"*Mr. Vallandigham.*—Because he states that I uttered that sentence under a false pretext. I will take down the gentleman's words.

"*Mr. Blake.*—I desire to change that a little. If my colleague wishes me to be more explicit, I will utter something which my colleague may take down. I say, then, Mr. Speaker, that my colleague uttered the remarks which he made in reference to the Senator from Ohio under the false declaration that they were not to be made in reference to any member of Congress.

"*Mr. Vallandigham.*—I call the member from Ohio to order, on the ground that his remarks are of personal application to me, and I call for the decision of the Chair on that point.

"*The Speaker pro tempore.*—The gentleman on the left will proceed in order.

"*Mr. Blake.*—I sought the floor immediately after the gentleman dropped into his seat for the purpose of calling him to

order, and for the purpose of having the words uttered by him in reference to the Senator from Ohio taken down. I have since constantly sought the floor, but this is the first opportunity I have had to call the attention of the House to the matter. In doing so now, I ask that the remarks of the gentleman from Ohio, my colleague, may be taken down in order that the House may take subsequent action thereupon. I desire, however, first to say to him and to the House that his character and the character of the Senator to whom he has referred are well known, and I do not rise here to repel any charge of liar, any charge of scoundrel, or any charge of coward, coming from the source from which these charges now proceed. The Senator from Ohio is too well known in my own State and in the United States, and my colleague is too well known, to make it necessary to answer any declaration coming from my colleague. I repeat, they are both known to the people of that State, they are both known to the people of the United States, and I am willing to let them stand upon their own record for their own defence.

*“Mr. Vallandigham.—*I am known, Sir, in the State of Ohio, having somewhat the advantage of my colleague in that respect. I am known to the people of my own city also, and I take occasion to say that on the 7th of the present month the issue was there made at the polls whether I should be endorsed as a public man and a public servant in my public conduct here and elsewhere, and the verdict of the people of that city upon that direct issue was returned in my favor in the persons of my friends, by a majority of one hundred and forty-eight, being a change since last October of six hundred and forty votes.

*“Mr. Blake.—*Was the gentleman a candidate in that election?

*“Mr. Vallandigham.—*No, Sir, but the issue was made directly, and if the gentleman questions it, I propose to read the resolution upon which it was made.

*“Mr. Moorehead.—*I rise to a question of order. I cannot see that this has anything to do with the matter before the House.

*“The Speaker pro tempore.—*The Chair thinks the gentleman from Ohio is in order, and he will proceed.

*“Mr. Vallandigham.—*A convention was held in Dayton,

where I reside, by the party to which my colleague now belongs, a combination or fusion of Republicans, and other elements of a mixed character, opposed now to the Democratic party. This regularly-called city convention, in nominating its candidates, adopted a platform containing but a single point. It was extraordinary, Sir, indeed that such a platform should have been made, forgetting the high purposes of an election, and containing but a single issue, and that merely personal to a fellow-citizen, appealing to the people of that city to vote for candidates solely on that personal issue. The platform was in these words:

“*Resolved*, That we will take the occasion of our ensuing city election to make it known to all men that the city of Dayton repudiates Clement L. Vallandigham and his organ, the *Dayton Empire*, and rebukes them for their refusal to support the Government in its death-struggle with treason; and to the end that this rebuke may be made the more emphatic, we call upon all loyal men, without respect to party, to vote for the Union, anti-Vallandigham, anti-*Empire* ticket this day nominated.’

“Sir, that direct issue thus proffered was openly, flatly and boldly accepted by my friends, and after a violent contest of three weeks, the election resulted in the success of the entire Democratic ticket, from Mayor down, upon the sole question, by an average majority of some two hundred, against four hundred and ninety-two fusion majority at the State election last fall. The issue was indeed unworthy even of a municipal election, and it is not fit that it should be named here, except in reply to the member from Ohio. That, Sir, is all that I have to say in regard to it.

“The request of my colleague that my words may now be taken down, comes quite too late. The rule upon this subject is emphatic. And although I am ready to meet here and elsewhere any responsibility that may arise from anything I have uttered, yet my colleague shall not deprive me of my constitutional rights as a member of this House.

“*Mr. Blake*.—I should like to know what my colleague means by elsewhere. I know of no place to meet these issues but here.

“*Mr. Vallandigham*.—Well, Sir, this city is several square miles in circumference, the District of Columbia is somewhat larger, the State of Ohio includes a yet more extended area of territory, and the United States are very much larger still. I believe that covers all that comes under the denomination of ‘elsewhere,’ so far as regards my present purposes. I

mean outside of the House. I need say nothing more beyond that now. Any explanation or negotiation demanded or proposed outside of the House will, of course, be responded to according to the manner in which it may happen to be presented. I neither seek nor shun controversy with any gentleman. Anything done inside must be settled in accordance with the Constitution, the laws, and the rules of the House.

"Now, in the first place, I deny that I have violated any rule. I took a paper and read from a printed speech that which related to me personally, and which contained a foul and infamous libel which the utterer knew at the time to be false and slanderous. He, the member from Ohio, talks now, indeed, of the opprobrium of the epithets 'liar,' 'scoundrel,' and 'coward!' Does he not know that the word 'traitor' enters here now covered ten times over with the leprosy of reproach; and am I to stand in this Hall unmoved while that epithet is insinuated against me, in all its taint and foulness, by a member of the Senate, it may be, where I have no chance to meet and hurl it back on the spot as it deserves? Am I to bear it calmly any longer, uttered by any responsible person? I tell you, nay! And when I choose to meet and brand it as a man and as a gentleman should meet and brand it, am I to be called in question here and the first offender go acquit? Sir, I referred to the man, not to the Senator. My manner of allusion was in accordance with ancient parliamentary usage; and if the member from Ohio had known anything about parliamentary usage, he would have known that following the practice of the Irish and the British Parliaments, I said nothing for which I could properly be called to order in debate. I put a suppositious case, and no man can, under parliamentary precedent, object to it. That, Sir, is my first answer

"But I scorn to stand upon that point alone. If what I said has been out of order, let the member from Ohio go to the Senate first, and there vindicate the violated obligations of parliamentary decorum. Is it disorderly for a member of this House to refer to a member of the Senate and yet exactly in order for a Senator to denounce a member of this House, who sits here not by your consent—although you have the right to expel him, two-thirds concurring, if he has been guilty of a sufficiently grave offence—but under the same Constitution and laws, and by the equal, nay, better title of the will of the people—is he to

be denounced as a 'man who never had any sympathy with this Republic, and whose every breath is devoted to its destruction, just as far as his heart dare permit him to go'? And has the member from Ohio no holy indignation against a Senator who has thus wantonly, and in violation of all parliamentary law, slandered a Representative in this House? Sir, let him go to the Senate where those false words were uttered, if they were uttered in the Senate, and let him see to it that that body shall first vindicate its obligations to the members of this House, before he dares to call me to a reckoning for words spoken in retort here. How does he know that the words spoken by me had reference to a Senator? But no; suppose they had, what of it? Was not the retaliation just what he deserved? Could anything less have expiated the offence? Sir, I spoke of him as Benjamin F. Wade, an individual, a citizen of my own State, and made no allusion to him as a Senator. He was the aggressor; he provoked the retaliation, and it was deserved. I pass by his assault upon the Democratic party. That party will take care of itself.

"But, Sir, independent of all this, if I were out of order, it is too late, under the positive and peremptory language of your rules, to make inquisition into it now. I repeat again, that assailed as I have been, persecuted and hounded as I have been for twelve months past, not to speak of former years, I have a right to throw myself back immovably upon the strictest law of parliamentary proceeding, and insist upon every right and privilege which the Constitution, the laws and the rules of this House give to me. The 62d rule of the House is peremptory upon this subject. It is in these words:—

"If a member be called to order for words spoken in debate, the person calling him to order *shall repeat the words excepted to*, and they shall be taken down *in writing at the Clerk's table*. and *no member shall be held to answer, or be subject to the censure of the House, for words spoken in debate, if any other member has spoken, or other business has intervened, after the words spoken, and before exception to them shall have been taken.*'

"There is the rule, Sir, and there is no evading it. It has been acted upon in this House on several occasions. The question was decided once, when the words were applied to a member of the House in his presence, and yet under the rule and because the words excepted to were not at once taken down, the House did not inflict its censure, as in that case it other-



wise deservedly might have done. In another case, Mr. Sherman, of Ohio, instantly rose and demanded that the objectionable words should be taken down, when uttered by Mr. Houston of Alabama. They were taken down and censure moved, but the motion was finally withdrawn after explanations, and the case thus disposed of. Such, Sir, is the rule, and the practice under it; and yet my colleague comes now here and asks that the Constitution shall be violated, which authorises and requires this House to establish its rules; and the rules themselves over-ridden. And for what? To censure me for words spoken of one who has basely traduced my character as a loyal citizen and Representative, and made a charge against me which I choose hereafter to meet only just as I have met it to-day.

“Sir, the accusation which he preferred he knew could not be established. This House had failed even to make inquisition into it, because it was without even a decent pretext for inquisition. He knew that when a resolution of inquiry merely was offered here, it was withdrawn by the mover after debate. He knew all that, and yet wantonly and without provocation renewed the charge of disloyalty.

“Sir, the rule declares that the words must be taken down at the time. They cannot be reduced to writing after another member has spoken, or other business has intervened. No censure can be inflicted for words taken down an hour afterwards, and not at the Clerk’s desk. On that subject I am perfectly indifferent, and it is with the utmost reluctance that I throw myself upon the indulgence of the House to make this explanation. The gentleman has made his. I have made mine, and am content. Whenever the Senator from Ohio——

“*The Speaker pro tempore.*—The gentleman is out of order in alluding to a member of the Senate.

“*Mr. Vallandigham.*—I could not avoid it after the reference to him as Senator by my colleague; but I retract it. Whenever Benjamin F. Wade——

“*The Speaker pro tempore.*—The gentleman is again out of order.

“*Mr. Vallandigham.*—I have not finished the sentence. Whenever Benjamin F. Wade shall take back the false and slanderous accusation which he has made against me, I will take back the one I have applied to him; but not before.

“*Mr. Blake.*—I have not desired to do my colleague injustice. I was amazed to hear the remarks which fell from his lips in regard to the Senator from Ohio. I felt, as a Representative from Ohio, that that State had been insulted—shamefully insulted—by the remarks which fell from my colleague’s lips.

“*Mr. Vallandigham.*—May I ask a question?

“*Mr. Blake.*—Wait until I get through.

“I have not read the speech to which the gentleman refers. My colleague said that that speech was not made here, nor was it made in the Senate of the United States, because, as he said, such remarks would not be tolerated in that body. I had a right to presume that no such remarks as he was about to characterise would fall from a Senator’s lips. Since I heard his remarks, I have obtained the floor as soon as I could, to call him to order and have his words taken down. I do not desire to do my colleague injustice, but I will say this: I infer from the remarks that he has made that the Senator from Ohio has characterised him as a traitor. Am I right?

“*Mr. Vallandigham.*—The language of Benjamin F. Wade was, that I was a man who had no sympathy with the country.

“*The Speaker pro tempore.*—Both the gentlemen from Ohio are out of order.

“*Mr. Blake.*—I desire to say that three-fourths of the people of Ohio look upon my colleague in the same light.

“*Mr. Vallandigham.*—Three-fourths of the people there denounce the gentleman as an Abolition disunionist.

“*Mr. Hutchins* obtained the floor.

“*Mr. Vallandigham.*—I ask the gentleman to yield to me.

“*Mr. Hutchins.*—I decline. I rise to a question of privilege, and offer for adoption the following resolution; and on its adoption I demand the previous question:

““*Whereas*, Hon. C. L. VALLANDIGHAM, a member of this House, of the State of Ohio, in Committee of the Whole, made use of the following language concerning Hon. B. F. WADE, a Senator in Congress:

““*Mr. Chairman*, I have waited patiently for three days for this the earliest occasion presented for a personal explanation. In a speech delivered in this city—not in this House—certainly not in the Senate—no such speech could have been tolerated in an American Senate—I find the following:

\* \* \* \* \*

““Now, Sir, here in my place in the House and as a Representative, I

denounce — and I speak it advisedly — the author of that speech as a liar, a scoundrel, and a coward. His name is BENJAMIN F. WADE.

“And whereas said remarks are a violation of the rules of this House, and a breach of its decorum, and deserve the censure of the House; Therefore,

“Resolved, That C. L. VALLANDIGHAM, for said violation of the rules of the House and its decorum, is deserving of censure, and is hereby censured.’

“*Mr. Vallandigham.*—I make the point that the resolution is not in order under the following rule:

“62. If a member be called to order for words spoken in debate, the person calling him to order shall repeat the words excepted to, and they shall be taken down in writing at the Clerk’s table; and no member shall be held to answer or be subject to the censure of the House, for words spoken in debate, if any other member has spoken, or other business has intervened, after the words spoken, and before exception to them shall have been taken.’

“And then, on motion of *Mr. Sheffield* (at five o’clock P. M.), the House adjourned.

---

FRIDAY, April 25, 1862.

“The House met at twelve o’clock M. Prayer by the Chaplain, Rev. Thomas H. Stockton.

“The Journal of yesterday was read and approved.

#### “QUESTION OF PRIVILEGE.

“*The Speaker.*—The question pending when the House adjourned was one of privilege, raised by the gentleman from Ohio [Mr. Hutchins] against his colleague [Mr. Vallandigham.] The following is the resolution submitted to censure the gentleman from Ohio for disorderly words spoken in debate in the Committee of the Whole on the state of the Union:

“Whereas, Hon. C. L. VALLANDIGHAM, a member of the House, of the State of Ohio, in Committee of the Whole, made use of the following language concerning Hon. B. F. WADE, a Senator in Congress:

“Mr. Chairman, I have waited patiently for three days for this the earliest occasion presented for a personal explanation. In a speech delivered in this city — not in this House — certainly not in the Senate — no such speech could have been tolerated in an American Senate — I find the following: \* \* \* \* \*

“Now, Sir, here in my place in the House — and as a Representative, I denounce — and I speak it advisedly — the author of that speech as a liar, a scoundrel, and a coward. His name is BENJAMIN F. WADE.

“And whereas, said remarks are a violation of the rules of this House, and a breach of its decorum, and deserve the censure of the House: Therefore,

“*Resolved*, That C. L. VALLANDIGHAM, for said violation of the rules of the House and its decorum, is deserving of censure, and is hereby censured.’

“On that resolution the question of order is made that under the express language of the 62d rule of the House the gentleman from Ohio could not now be held to answer, or be subject to the censure of the House for the words spoken, another member having spoken and other business having intervened before exception to them was taken, and that consequently the preamble and the resolution could not be entertained by the House. The Chair will have read the 62d rule, and a paragraph from the Manual.

“The Clerk read as follows:—

“If a member be called to order for words spoken in debate, the person calling him to order shall repeat the words excepted to, and they shall be taken down in writing at the Clerk’s table: and no member shall be held to answer, or be subject to the censure of the House for words spoken in debate, if any other member has spoken, or other business has intervened after the words spoken and before exception to them shall have been taken.—*Sixty-Second Rule*.

“Disorderly words spoken in a Committee must be written down as in the House, but the Committee can only report them to the House for animadversion.—*Manual*, p. 77.’

“*The Speaker*.—The Chair decides, the gentleman from Ohio (Mr. Hutchins) in his resolution not having complied with either the rule of the House or the provision of parliamentary law, and therefore the point of order is well taken.”

This was the only occasion upon which Mr. Vallandigham ever departed from the strictest decorum and propriety of language in the House; but the provocation was extreme, and Wade was the first responsible endorser whom he had found of the accumulated falsehoods and detraction of a whole year.

Mr. Vallandigham’s friends in Congress and throughout the country were greatly pleased with the ability and fearlessness with which he had repelled the assault of Wade, and with the tact and skill he had exhibited in escaping the censure

which the House was about to inflict unjustly upon him. On the other hand, Mr. Wade's friends were greatly incensed and seriously meditated personal violence, but knowing the courage of Mr. Vallandigham, his vigilance, and the fact that he was always thoroughly armed, they finally concluded that "discretion was the better part of valor."

One other attack only we will notice. In June, Shellabarger and Gurley, of Ohio, presented printed petitions from citizens of their own districts, none from Mr. Vallandigham's, asking for his expulsion from the House as a "traitor and a disgrace to the State of Ohio." The petitions were referred to the Committee on the Judiciary, consisting of the following members: John Hickman, chairman; John A. Bingham, William Kellogg, Albert G. Porter, Benjamin F. Thomas, Alexander S. Diven, James F. Wilson, George H. Pendleton, and Henry May; all of them Republicans, except May and Pendleton. This Committee, on the very same day on which the petitions were presented, by a unanimous vote ordered them to be reported back and laid upon the table; and accordingly on the first day that the Committee was called, July 3, 1862, Mr. Bingham reported them back, and *on his motion they were laid on the table*, no evidence whatever of either "treason" or "disgrace" having been produced to the Committee. Seven times during the session these attacks were made, and as often failed. Indeed, he himself stated to a friend that for months he never heard an Administration member address the Chair without looking up to see if a resolution for his censure or expulsion was about to be offered. But he escaped the trying ordeal unscathed. It was said afterwards that "he could not be detected, because he was too sharp to leave his tracks uncovered."

“Never make any tracks,” said he in reply, “and none will ever be found out.” During this session, also, his vigilance was never for a moment relaxed. Powerless in numbers and influence, he had but one weapon — knowledge of the rules of the House, and skill in parliamentary law; and he used it with the utmost efficiency.

The violent public commotion which followed the proclamation of the 15th of April, 1861, the apparent unanimity in support of the war, the desertion of many of the old Democratic leaders and the fatal timidity of others, together with the specious cry of “No Party,” had greatly paralysed the Democratic organization. Its disastrous defeat that year in every State where elections were contested, almost dissolved it. Repeated efforts had been made by Mr. Vallandigham and the little band with which he acted to restore the party, but all had failed, and two several “caucuses” of the Democratic members of Congress had broken up in disorder. The case was still more hopeless in December. But he closely watched and calmly waited for the opportune moment; and in March, 1862, taking advantage of the rapid and bold development of the real purposes of the party in power in their various schemes for confiscation and emancipation, he drew up a call for a conference of the Democratic Senators and Representatives, and obtained signatures to the number of thirty-five. The meeting was held on the 25th of March, and after a full discussion and some altercation, it was resolved that the organization of the party should be perfected, and on motion of Mr. Vallandigham ordered that a committee be appointed to prepare an address to the people of the United States. But previous to this a secret and concerted effort was being made by

certain Eastern politicians of the Democratic party, in combination with others of the old Whig and American parties, to disband the former, and to consolidate a new conservative organization with a new name. They who were in this movement managed, upon the pretext that Mr. Vallandigham was too unpopular to be on the committee, or indeed to be recognised as a member of the party, to postpone, and finally to defeat the appointment of the committee ordered by the conference. But he, and those who acted with him, were not to be thus beaten. He prepared an address which, after much delay and difficulty, was signed by twelve Democratic Representatives from the West (six of them from Ohio), and by two from Pennsylvania, and one from New Jersey; all the other Eastern members except one, and four of the Western, refusing peremptorily to sign it. It was issued on the 8th of May, and three days later the new conservative movement culminated in a caucus in the hall of the House of Representatives, John J. Crittenden presiding. But the address was already before the public, and to the Democratic masses it was as the call of the trumpet to battle. The following is an extract :—

“Does the history of the Democratic party prove that it ought to be abandoned? ‘By their fruits shall ye know them.’ Sectional parties do not achieve Union triumphs. For sixty years from the inauguration of Jefferson on the 4th of March, 1801, the Democratic party, with short intervals, controlled the power and the policy of the Federal Government. For forty-eight years out of these sixty Democratic men ruled the country; for fifty-four years and eight months the Democratic policy prevailed. During this period Louisiana, Florida, Texas, New Mexico, and California were successively annexed to our territory, with an area more than twice as large as all the original thirteen States together. Eight new States were admitted under strictly Democratic administrations—one

under the administration of Fillmore. From five millions the population increased to thirty-one millions. The Revolutionary debt was extinguished. Two foreign wars were successfully prosecuted, with a moderate outlay and a small army and navy, and without the suspension of the *habeas corpus*; without one infraction of the Constitution; without one usurpation of power; without suppressing a single newspaper; without imprisoning a single editor; without limit to the freedom of speech in or out of Congress, but in the midst of the grossest abuse of both; and without the arrest of a single 'traitor,' though the Hartford Convention sat during one of the wars, and in the other Senators invited the enemy to 'greet our volunteers with bloody hands, and welcome them to hospitable graves.'

"During all this time wealth increased, business of all kinds multiplied, prosperity smiled on every side, taxes were low, wages were high, the North and the South furnished a market for each other's products at good prices; public liberty was secure, private rights undisturbed; every man's house was his castle; the courts were open to all; no passports for travel, no secret police, no spies, no informers, no bastiles; the right to assemble peaceably, the right to petition; freedom of religion, freedom of speech, a free ballot, and a free press; and all this time the Constitution maintained and the Union of the States preserved.

"Such were the choice fruits of Democratic principles and policy, carried out through the whole period during which the Democratic party held the power and administered the Federal Government. Such has been the history of that party. It is a Union party, for it preserved the Union, by wisdom, peace, and compromise, for more than half a century.

"Then, Democrats, neither the ancient principles, the policy, nor the past history of the Democratic party require nor would justify its disbandment.

"Is there anything in the present crisis which demands it? The more immediate issue is, To maintain the Constitution as it is, and to restore the Union as it was.

"To maintain the Constitution is to respect the rights of the States and the liberties of the citizen. It is to adhere faithfully to the very principles and policy which the Democratic party has professed for more than half a century. Let



its history and the results from the beginning prove whether it has practised them. We appeal proudly to the record."

Few political documents have ever produced a greater effect than this address. The effort to supersede the Democratic organization utterly failed. In every State Democratic tickets were put in nomination, and the extraordinary and almost universal successes of the year followed. About the time of the publication of the address, Mr. Vallandigham visited Philadelphia and New York for the first time since the commencement of the war, and was in both cities and along the route received with honor by his friends. In the latter he was tendered a serenade at the Metropolitan Hotel, but apprehending that the war fever had not yet sufficiently subsided, he declined it.

On the 2d of July Mr. Vallandigham left Washington for Columbus, Ohio, to attend the Democratic State Convention on the Fourth. It was one of the largest, most enthusiastic and harmonious ever convened in the State. The delegation from Mr. Vallandigham's district alone numbered five hundred and fifty. The largest hall in the city, crowded to its utmost capacity, failed to accommodate more than one-fourth part of those in attendance. It was, therefore, determined, after a partial and temporary organization, to adjourn to the State House grounds, in order that the thousands of Democrats present might be enabled to participate in and witness the proceedings of the Convention. There Mr. Vallandigham addressed the people in a speech wholly extemporaneous, but most impassioned, and delivered with a voice and gesture terribly in earnest. Its effect upon the audience was very great. One delegate described his shoulders as bruised and blue for

several days from the spasmodic working of the fingers of a stalwart countryman behind him during the delivery. The following are his closing remarks:—

“Sir, I have misread the signs of the times and the temper of the people if there is not already a spirit in the land which is about to speak in thunder-tones to those who stretch forth still the strong arm of despotic power, ‘Thus far shalt thou come, and no farther. We made you; you are our servants.’ That, Sir, was the language which I was taught to apply to men in office when I was a youth, or in first manhood and a private citizen; and afterwards when holding office as the gift of the people, to hear applied to me, and I bore the title proudly. And I asked then, as I ask now, no other or better reward than ‘Well done, good and faithful servant.’ [Cries of ‘You shall have it; you deserve it.’] But to-day, they who are our servants, creatures made out of nothing by the power of the people, whose little brief authority was breathed into their nostrils by the people, would now, forsooth, become the masters of the people; while the organs and instruments of the people—the press and public assemblages—are to be suppressed; and the Constitution, with its right of petition, and of due process of law and trial by jury, and the laws and all else which makes life worth possessing—are to be sacrificed now upon the tyrant’s plea that it is necessary to save the Government, the Union. Sir, we did save the Union for years—yes, we did. We were the ‘Union savers’ not eighteen months ago. Then there was not an epithet in the whole vocabulary of political billingsgate so opprobrious in the eyes of a Republican when applied to the Democratic party as ‘Union-shriekers,’ or the ‘Union-savers.’ I remember in my own city, on the day of the Presidential election in 1860—I remember it well, for I had that day travelled several hundred miles to vote for Stephen A. Douglass for the Presidency—that in a ward where the judges of election were all Democrats, your patriotic Wide-a-Wakes, strutting in unctuous uniform, came up hour after hour thrusting their Lincoln tickets ’twixt thumb and finger at the judges, with the taunt and sneer, ‘*Save the Union; save the Union!*’ And yet now, forsooth, we are ‘traitors’ and ‘secessionists!’ And old gray-bearded and gray-headed men who lived and voted in the times of Jefferson and

Madison, and Monroe, and Jackson — men who have fought and bled upon the battle-field, and who fondly indulged the delusion for forty years that they were patriots, wake up suddenly to-day to find themselves ‘traitors!’ — sneered at, reviled and insulted by striplings ‘whose fathers they would have disdained to have set with the dogs of their flock.’ Of all these things an inquisition searching and terrible will yet be made, as sure and as sudden too, it may be, as the day of judgment. We of the loyal States -- we of the loyal party of the country, the Democratic party — we the loyal citizens of the United States, the editors of loyal newspapers — we who gather together in loyal assemblages, like this, and are addressed by truly loyal and Union men as I know you are to-day and at this moment [‘That’s so; that’s the truth!’] — we, forsooth, are to be now denied our privileges and rights as Americans and as freemen; we are to be threatened with bayonets at the ballot-box, and bayonets to disperse Democratic meetings! Again I ask, why do they not take up their muskets and march to the South, and like brave men, meet the embattled hosts of the Confederates in open arms, instead of threatening, craven-like, to fight unarmed Democrats at home — possibly unarmed, and possibly not? [Laughter and applause, and a remark — ‘That was well put in.’] If so belligerent, so eager to shed that last drop of blood, let them volunteer to reinforce the broken and shattered columns of McClellan in front of Richmond, sacrificed as he has been by the devilish machinations of Abolitionism, and there mingle their blood with the blood of the thousands who have already perished on those fatal battle-fields. But no, the whistle of the bullét and the song of the shell are not the sort of music to fall pleasantly upon the ears of this Home Guard Republican soldiery

“With reason, therefore, fellow-citizens, I congratulate you to-day upon the victory which you have achieved. A great poet has said —

‘Peace hath her victories as well as War.’

To-day the cause of free government has triumphed; a victory of the Constitution, a victory of the Union, has been won, but is yet to be made complete by the men who go forth from this the first political battle-field of the campaign, bearing upon their banners that noble legend, that grand inscription — THE

CONSTITUTION AS IT IS, AND THE UNION AS IT WAS. [Great cheering.] In that sign shall you conquer. Let it be inscribed upon every ballot, emblazoned upon every banner, flung abroad to every breeze, whispered in the zephyr and thundered in the tempest, till its echoes shall rouse the fainting spirit of every patriot and freeman in the land. It is the creed of the truly loyal Democracy of the United States. In behalf of this great cause it is that we are now, if need be, to do and to suffer in political warfare whatever may be demanded of freemen who know their rights, and knowing, dare maintain them. Is there any one man in all this vast assemblage afraid to meet all the responsibilities which an earnest and inexorable discharge of duty may require at his hands in the canvass before us? ['No, no, not one!'] If but one, let him go home and hide his head for very shame.

Who would be a traitor knave,  
Who could fill a coward's grave,  
Who so base as be a slave,  
Let him turn and flee.'

"It is no contest of arms to which you are invited. Your fathers, your brothers, your sons are already by thousands and hundreds of thousands on the battle-field. To-day their bones lie bleaching upon the soil of every Southern State from South Carolina to Missouri. It is to another conflict, men of Ohio, that you are summoned; but a conflict, nevertheless, which will demand of you some portion at least of that same determined courage, that same unconquerable will, that same inexorable spirit of endurance which make the hero upon the military battle-field. I have mistaken the temper of the men who are here to-day, I have misread the firm purpose that speaks from every eye and beams from every countenance, which stiffens every sinew and throbs in every breast—I have misread it all if you are not resolved to go home and there maintain at all hazards and by every sacrifice, the principles, the policy and the organization of that party to which again and yet again I declare unto you, this Government and country are indebted for all that have made them grand, glorious and great. [Cheers and great applause.]"

This speech was received with unbounded applause. In fact, his entire reception at Columbus was one of the proudest

and most gratifying. He arrived in that city on the evening of the 3d, and after midnight responded to a serenade; the next day addressed the Convention, and again at night spoke from the hotel to an immense assemblage—three speeches within twenty hours.

These evidences of admiration of his character and approval of his course were very cheering to Mr. Vallandigham. He had been persecuted as no man in this country had ever been persecuted. He felt it keenly; but satisfied that he was right, he would not alter his course. And now there seemed to be a change in his favor. The assaults that had been made upon him in Congress in the winter and spring he had triumphantly repelled—repelled in such a way as to elicit the highest admiration of his friends, and to command the respect even of his foes. Evidences of the proper appreciation of his character and course were multiplying around him. To these he refers in a letter to his mother, dated—

“WASHINGTON, D. C., June 14, 1862.

“ . . . I wish I could get away from here. I am weary, very weary of it. It is impossible to tell how soon we will adjourn, but I am going home the last of this month. If we are to adjourn soon after, I shall not return to Washington till November. . . . If I do not return to Washington, we will come up to Lisbon some time in July. I shall be rejoiced to be there again, and to see you, dear mother, again, and all of you. I am sure the visit as to outside matters will be more pleasant than last summer; and at home all will be sweet, and the old hills, and the woods, and the rocks, and the accustomed walks of my boyhood, all, all will be very, very dear to me after all I have done and suffered. But my reward is coming—coming sooner than I expected. Friends are springing up or speaking out everywhere. God has been very good to me in the midst of sore persecution, and has delivered me out of the hands of

my enemies, and given me the victory over them in every assault. But it was so written down in the 'Promises' many ages ago. Whoever will do right, firmly and wisely, will be sustained if he endure to the end. I could not in many pages give you fully the continual evidences of good feeling and praise which I now receive from every quarter, although abused daily still too. Only night before last an Ohio military band (from Mansfield) marched in from camp seven miles distant to serenade me.

"I am greatly rejoiced to hear of your still improving good health. May you live long enough yet to see peace and the beginning of prosperity restored once more to this unhappy country. I am still hopeful of the future, even amidst the darkness which surrounds us, and the evil and wickedness which I see on every side."

But Mr. Vallandigham had not long to congratulate himself on the favorable change. About the last of July the storm of persecution burst out again. McClellan had just been defeated and hurled back upon the James river, though after a gallant and stubborn resistance and a most masterly retreat. Pope's short but disastrous campaign began. More troops were demanded, and the reign of terror was renewed with greater violence than ever before. Two clergymen from the "Union" Slave States, who had been upon a visit to Mr. Vallandigham, were arrested on their way home. It had been the intention to arrest them at his house, and to seize him with them. Arrangements were made afterwards to arrest him separately, and officers came up for that purpose from Cincinnati. Mr. Vallandigham's friends rallied to his support, and his house and all approaches to it were securely guarded. Regular reports of the arrival of all trains were brought to him, and ward and watch kept continually till break of day. Not a footfall upon the pavement escaped his ear. Such was his vigi-

lance and that of his friends that at length the intention to arrest him was for the present abandoned.

And now Mr. Vallandigham determined to address the people of Dayton, to whom he had not spoken since the war began. It was a bold movement, exhibiting the highest moral as well as physical courage, since repeated threats had been made during the preceding eighteen months that he would not be allowed to speak; and, independent of this, the deed of assassination might easily be done under cover of darkness. The meeting was appointed for the evening of the 2d of August, and uncertain as to the number who would attend, it was announced for a public hall in the city; but as evening approached, an immense concourse of people, numbering some eight thousand, assembled. The hall was speedily filled to overflowing, but not an eighth part of the audience could gain entrance. The meeting was accordingly adjourned to the south side of the beautiful stone court-house of the city. The following account of the reception of Mr. Vallandigham we take from the *Empire*:—

“The calls for Mr. Vallandigham brought that gentleman to the stand. The instant his form was seen, the cheering became absolutely deafening. Almost wild with delight to see their brave champion still unscathed among them, after the threats of arrest and the countless tales of his flight from the myrmidons, not of the law, but of the despot's will, cheer after cheer went forth, hats were waved, and vain was the effort of the presiding officer to check its progress. At times it seemed almost subdued, but again and again they broke forth with increased energy, and it seemed almost as if nature must completely exhaust itself ere the wild delight with which the constituents greeted their representative could be stifled sufficiently to enable him to acknowledge their greeting save by gesture. It was a free heart-offering to bravery and to truth,

a spontaneous ovation tendered from the constituents to the representative, worthy alike of both."

Mr. Vallandigham addressed the vast and excited multitude for nearly three hours, in a speech which was received with exalted enthusiasm, and which, when published, called forth the highest encomiums. "Elevated in tone, statesman-like in conception, full of pathos, and pure in diction," said the editor of the *Crisis*, "it thrills the reader as though fresh from a Roman Senate in the hour of Rome's most terrible trials for freedom and existence." At the close the people accompanied him in triumph to his home. The victory was won, and he was secure.

We would like to make copious extracts from this able speech, but have room for only a few sentences.

"I too," said he, "have sworn to support the Constitution; and more than that, *I have done it*. I demand that all men, from the humblest citizen up to the President, shall be made to obey it likewise. In no other way can we have liberty, order, security. I was born a freeman. I shall die a freeman. It is appointed to all men once to die; and death never comes too soon to one in the discharge of his duty. I have chosen my course, have pursued it, have adhered to it to this hour, and will to the end, regardless of consequences. My opinions are immovable; fire cannot melt them out of me. I scorn the mob. I defy arbitrary power. I may be imprisoned for opinion's sake: never for crime, never because false to the country of my birth, or disloyal to the Constitution which I worship. Other patriots, in other ages, have suffered before me. I may die for the cause; be it so; but 'the immortal fire shall outlast the humble organ which conveys it, and the breath of liberty, like the word of the holy man, will not die with the prophet, but survive him.' And, meantime, men of Dayton, the opinions which I entertain, the deep convictions that control me in that course which, before Almighty God, I believe can alone maintain the Constitution and restore the



Union as our fathers made it, I never, never will yield up. Neither height nor depth, neither death nor life, nor principalities, nor powers, nor things present, nor things to come — no, nor the knife of the assassin, shall move me from my firm purpose.”

On the 4th of September, 1862, the Congressional Convention of the Third District, now composed of the counties of Butler, Montgomery, Preble, and Warren, met at Hamilton, and Mr. Vallandigham was nominated by acclamation. Informed of his nomination, and conducted to the stand, he signified his acceptance in an address of which the following is a portion:—

“At your demand, therefore, men of the Third District, I accept the nomination, and present myself to the people for their suffrages, upon no other platform than THE CONSTITUTION AS IT IS AND THE UNION AS IT WAS. It is a platform broad enough for every patriot. Whoever is for it, I ask his support. Whoever is against it, I would not have his vote. Every faculty of body and mind which I possess shall be exerted unremittingly for the great purpose implied in this platform.”

Referring to threats made that in certain localities in the District he would not be allowed to speak, he said:—“Let it be understood once for all, that wherever in any part of any county in the district it is deemed convenient and proper to announce a Democratic meeting, *it will be held; and God willing, I will address it.*” He made his declaration good, canvassing every county, and addressing large and enthusiastic meetings of the people. But since the election in 1860 a hostile Legislature had changed the District, adding thereto a county giving always an overwhelming Republican majority. The sole struggle, therefore, was to carry his original district, and in this he succeeded by a largely increased majority

The Cincinnati *Times*, a Republican paper, referring to the result in the Third District, the day after the election, said:—

“Vallandigham, though his district, in the new apportionment, was arranged especially to defeat him, is barely defeated, and that is all. In his old district, where a year ago he scarcely dared attempt to address a popular assemblage, he has a majority of about 700, and is defeated only from the fact that a very strong Republican county has been added to the district. These facts are given as an illustration of the political revolution that has undoubtedly begun in the Northwestern States.”

The Cincinnati *Enquirer*, the next day, quoting the above, said:—

“The *Times* is correct in its facts. The Hon. C. L. Vallandigham has obtained the greatest personal and political triumph ever won by any public man in the United States. In the face of a storm of abuse, obloquy, slander and denunciation from every Abolition print and every Abolition orator from Maine to California, which in fury was probably never equalled, Mr. Vallandigham has been endorsed by the constituents whom he represents in Congress, by a majority of 800 votes, an increase of 700 since his last election in 1860. Denounced as a traitor, as a secessionist, as an enemy of his country by the fawning parasites of power, by vindictive political partisans who have sought to make his name synonymous with treason, his life and liberty threatened by those who were ignorant of his political record, he has appealed to the people of his district, and he has been triumphantly sustained.”

But though nobly sustained by his old district, the change that had been made by the addition of Warren county secured his defeat; and this was deeply regretted all over the country. The following from the Mount Vernon (Ohio) *Banner* expresses the tone and feeling of the Democratic press throughout the Union:—

“The defeat of the gallant Clement L. Vallandigham in the third district is greatly lamented by all good Union-loving

Democrats. The Republicans purposely formed a district to defeat him, and they have been successful by a small majority. But they cannot put Mr. Vallandigham down. Although slandered more than any living man, he has come out of the 'fiery ordeal' like pure gold. Higher honors yet await him."

The fall elections in all the States resulted in Democratic triumphs. The reign of terror was broken down and free speech once more secured. Mr. Vallandigham addressed many immense meetings in Ohio and Indiana, continuing his labors up to the day of his departure for Washington. He was everywhere received with extraordinary honors and enthusiasm. Interesting accounts of these meetings published in the papers at the time we have in our possession, and would like to present them, but space will not permit. One only we will give—a brief notice of the meeting in Mr. Vallandigham's native place, New Lisbon. The *Patriot*, describing the meeting, says:—

"Word had circulated that Vallandigham, the friend of the Constitution and the Union, was to speak, and the old men of the county who used to listen to his father's preaching, and the young men who admired his valor and his patriotism, came in by hundreds to get the political gospel from the son. Never in New Lisbon did there assemble so many of the sober and pious people of the county. Mr. Vallandigham was born and raised in New Lisbon, and was well known to the people of this county previous to his removal to Dayton. When a young man, fully confiding in his ability and integrity, they elected him to the Legislature of the State; and their confidence in his patriotism and statesmanship has been increased by every act of his life. He has been the subject of much abuse from the Republicans, but they cannot show one word he has ever uttered that was disloyal; while it would be very easy to establish that, if every man in the North had pursued the same course for the last ten years, we would have had no war, no Federal tax, no draft, no stricken people mourning for

their dead kindred, victims of battle. Mr. Vallandigham is immensely popular."

At one of the meetings in Indiana, arrangements were made by the Governor and United States Marshal to arrest him on his way home at night. His friends urged that under cover of darkness he should be taken in a carriage past the point where the arrest was to be made; but he answered, "I came by the cars, and in that way I mean to return, arrested or not, —so help me God." He took the train, and although the Marshal and a company of soldiers were at the depôt, no arrest was attempted. He subsequently addressed a meeting near the same place and upon the same road, but was not even threatened.

On the 21st of November, at a handsome entertainment given by Judge Morse at his residence near Dayton, an elegant gold-headed cane with a suitable inscription was presented to Mr. Vallandigham by the ladies. Thomas O. Lowe, Esq., —now Judge Lowe— of Dayton, on behalf of the ladies made the presentation speech, as follows:—

"*Mr. Vallandigham*:—The ladies of Dayton whom you see here this evening, have made it my pleasant duty to present to you in their names this cane. You are to receive it, Sir, as a testimonial of their personal respect and esteem, and as an evidence of their admiration of the unflinching fortitude with which you have always maintained the principles you have believed to be right. And it is also an assurance that while many of the daughters of America have been changed by this woful war into violent and bloodthirsty beings, in whom we now strive in vain to discover any of those merciful and compassionate traits which we have admired in them heretofore, and without which the character of every woman is sadly deficient, there are yet some of them among us who love not violence, who shrink from thoughts of bloodshed, who are ap-

palled as they witness with us all the unfolding of that fearful panorama which shows us brothers engaged in deadly strife, which is lighted by the lurid flames of hell, and which has for its orchestral accompaniment the wails of widows and orphans. There are yet some who from their very natures have deprecated this war, who desired as you did that it should be averted, and who now pray that the Ruler of Heaven and Earth, who is the Prince of Peace and God of Love, will turn the hearts of men from all bitterness and strife, so that bloodshed may be known among us no more forever. And if there be a prayer which the 'ministering angels' round about us more gladly hear and more quickly bear to the ear of Heaven than any other, it must be theirs. The Saviour of men said, 'Blessed are the peacemakers,' and

'Gave His life  
To bend man's stubborn will;  
When elements were fierce with strife,  
Said to them, "Peace, be still."'

"Although these ladies are not of those who arrogate to themselves the right to speak with authority upon those ordinary political topics whose consideration more rightfully, if not exclusively belongs to the sterner sex, they yet desire to-night to express to you their belief that if all the men of the North and South had but loved this Union as well and had struggled as wisely for the best interests of the country as you, this war would have been averted, and that even now, if the combatants could but be imbued with a patriotism as true as yours, this struggle would speedily cease, our Union be restored as it was, and everything which has in days gone by made Americans proud of their country, would come back to us again.

"... And we all think, Sir, that it is not among the least of the services you have rendered to your country that you have shown that there is such a thing as unconquerable devotion to principle; that there is one statesman among us who is not to be moved from his convictions of right by any danger or threatenings; that if one obeys the exhortations of Wolsey, and makes his aims 'his country's, his God's, and truth's,' he need not fear. Though storms may be raging all around him, he will be 'sustained by an unfaltering trust,' and have 'that peace which is above all earthly dignities, a still and quiet conscience.'

“Mr. Vallandigham replied as follows:—

“*Mr. Lowe*:—With a grateful heart I receive this cane from the ladies for whom you have just spoken. Valuable in itself, it is to me far more valuable because of the kindly motives which have induced its presentation, but especially as a testimony of their approbation of my conduct as a public man in the recent and present perilous times of the country. From them I accept it as a large recompense for whatever of calumny and reproach I have endured for the last eighteen months, because of my adherence to principle and a course of public policy which in my conscience and judgment I believed essential to the restoration of the Union and the best interests of my country. Such honors are bestowed commonly upon the heroes of military warfare; but if I merit any part of the praise which you have so eloquently expressed, it is moral heroism which to-night is honored by these ceremonies. It is the victories of peace which you here celebrate. Her triumphs are indeed grander, and her conquests nobler than any achieved by the military hero upon the battle-field. And it is especially fitting that these honors should be paid to the cause—though I myself may deserve them not—by the women of the country; and while I lament that so many among them should have forgotten the softness of their sex and the mild teachings of a religion essential indeed to man, but especially congenial to woman’s nature, yet I rejoice that so many also have laid not aside the ornament of a meek and quiet spirit, but remembered and clung yet the more steadfastly to the gospel of peace and love even amid the phrensy of a desolating and demoralising civil war. True to woman’s mission, they are or will be the wives, mothers, daughters and sisters who by precept, example, or association shall bring back yet the present, or educate a new generation which shall restore peace, the Union and Constitutional liberty with all their virtues and their blessings once more to this bleeding and distracted country. If, indeed, Sir, I have exhibited any part of the high qualities of courage, fortitude and immovable devotion to the good and the right which on behalf of these ladies you have so kindly attributed to me, it is to one of their own sex, more than to any other human agency, that I am indebted for them—my mother. In childhood, in boyhood and in youth, in the midst of many trials, from her teachings and by her example, I learned those

lessons and formed the character and habits—if it be so—which fitted me with courage and endurance and unfaltering faith to struggle with the terrible times in the midst of which we live.

“Congratulating the ladies on the selection of yourself as their representative upon this occasion, and thanking you cordially for the many kind things you have been pleased to say, I accept this beautiful present with my most grateful acknowledgments to one and all here assembled.”

At the conclusion of the ceremonies the ladies and gentlemen present partook of an elegant supper, worthy of the host and accomplished hostess, and of the good old “Butternut” hospitality of former days.

The Thirty-Seventh Congress met in third session the first of December. From May down to that period scarcely anything but disaster had befallen the Federal arms. The elections had nearly all terminated adversely to the Administration. All was alarm, almost terror. Arbitrary arrests were suspended; Forts Warren and La Fayette and other bastiles gave up their prisoners; and Mr. Seward graciously announced in an official despatch the return of the country to its “normal condition,” when all citizens might freely oppose and criticise the measures and conduct of the men in power. But one more effort was yet to be essayed against Richmond. The fortunes of battle were committed to the “weak but presumptuous Burnside,” who, on the 13th of December, for five hours, with frantic recklessness, drove on his columns against the Confederate intrenchments, and at nightfall, after the loss of fourteen thousand of his best troops, had earned the well-deserved cognomen of “the Butcher of Fredericksburg.” The day before the battle Mr. Vallandigham had arrived in New York. Affairs were now changed; and accepting a

proffered serenade at the New York Hotel, he addressed a very large assembly, and there, amid great applause, first uttered the word "PEACE" in public meeting in that city.

Returning to Washington, he found the Administration and their friends in Congress casting about for some mode of escape from the struggle, with safety to themselves. Negotiation, armistice, mediation, peace were no longer treasonable words. About this time he offered the following series of resolutions, as amendatory to certain ones offered the day before by Thaddeus Stevens :—

*"Resolved, That the Union as it was must be restored and maintained, one and indivisible forever, under the Constitution as it is, the fifth article, providing for amendments, included.*

*"Resolved, That if any person in the civil or military service of the United States shall propose terms of peace, or accept or advise the acceptance of any such terms, on any other basis than the integrity of the Federal Union, and of the several States comprising the same, and the Territories of the Union, as at the beginning of the present civil war, he will be guilty of a high crime.*

*"Resolved, That this Government can never permit the intervention of any foreign nation in regard to this present civil war.*

*"Resolved, That the unhappy civil war in which we are engaged was waged in the beginning professedly not in any spirit of oppression, or for any purpose of conquest or subjugation, or for the purpose of overthrowing or interfering with the rights or the established institutions of the States; but to defend and maintain the supremacy of the Constitution, and to preserve the Union with all the dignity, equality, and rights of the several States unimpaired, and was so understood and accepted by the people, and especially by the army and navy of the United States; and that, therefore, whoever shall pervert, or attempt to pervert, the same to a war of conquest and subjugation, or for the overthrow or interfering with the rights or established institutions of any of the States to abolish slavery therein, or for the purpose of destroying or impairing the dig-*



nity, equality or rights of any of the States, will be guilty of a flagrant breach of public faith, and a high crime against the Constitution and the Union.

*“Resolved, That whoever shall propose by Federal authority to extinguish any of the States of the Union, or to declare any of them extinguished, and to establish territorial Governments within the same, will be guilty of a high crime against the Constitution and the Union.*

*“Resolved, That whoever shall affirm that it is competent for this House, or any other authority, to establish a dictatorship in the United States, thereby superseding or suspending the Constitutional authorities of the Union, and shall proceed to make any movement toward the declaring of a dictatorship, shall be guilty of a high crime against the Constitution and the Union and public liberty.”*

These resolutions were laid on the table by a vote of yeas 79, all Republicans, to nays 50, all Democrats and Constitutional Union men. They sufficiently indicate the fears that were entertained by Mr. Vallandigham and others in reference to the terms of settlement that would be proposed, or the measures that would be adopted by the Administration, provided disaster should still continue to follow the Federal arms.

The Christmas recess soon after occurred, and members separated. Re-assembling in January, 1863, the drawn battle at Murfreesboro', and the costly but total failure before Vicksburg, had been added to the long list of disasters. About this time Mr. Vallandigham was approached by letter and personal interview, on the part of one of the most eminent and influential supporters of the Administration, to ascertain whether some means could not be devised to bring about a cessation of hostilities through foreign mediation, leaving the terms of adjustment to foreign arbitration. Whatever the design of this proposition, the effect and issue were palpable — final peaceable

separation. Mr. Vallandigham was ready and anxious for anything that would stop the war, and believing that mediation would at that time be "the speediest, easiest, most graceful mode" of effecting his object, he agreed to support it, but rejected "arbitration" as both impracticable and dangerous, insisting that "the people of the several States here at home must be the final arbitrators of the great quarrel in America, and the people and the States of the Northwest the mediators who should stand like the prophet betwixt the living and the dead, that the plague of disunion might be stayed."

On the 14th of January, Mr. Vallandigham delivered a speech on "The Great Civil War in America," a speech which produced perhaps as profound a sensation as any ever delivered in the halls of Congress. A correspondent of the *Cincinnati Gazette*, a bitter enemy of Mr. Vallandigham, thus describes the scene:—

"Finally the flow of motions ceases; the Speaker announces the resolutions of the gentleman from Pennsylvania under consideration and the gentleman from Ohio entitled to the floor, and Mr. Vallandigham rises, leaves his usual seat on the extreme left and moves over to near the centre of the opposition benches.

"There is a little flutter in the hall. This matter may require attention; it is well enough to lay aside the unfinished letters to constituents and drafts of new bills, and listen a little while. The wonderful old man from Pennsylvania [Stevens], who at 70 years of age retains all the fire and vigor of his earlier manhood, and, with the aid of a snuff-colored wig, makes everybody think him only fifty, still the imperious and sometimes wrong-headed leader of the House, faces about to the opposition side, braces himself back in his chair, and grimly eyes the member on the floor. Portly and good-natured Lovejoy bristles up, hitches his chair forward, and raises his hand to his ear to catch the opening sentences. Gray-headed, crabbed-faced, ruffle-shirted Wickliffe rears aloft his huge hulk of once

noble Kentucky proportions, and with the aid of crutch and cane hobbles his gouty way down the aisle, and seats himself just under his friend, the orator's extended hand, the better to catch the droppings from this sanctuary of Democracy, pure and undefiled, Colfax, with an attention to the business before the House that is never at fault, turns sharp and quick in his chair to listen. The Chairman of the Military Committee, black-whiskered Olin of New York, walks down the aisle to the Clerk's desk, and takes a position to hear distinctly. There is a general rising and turning on the Democratic and Border State side to get more favorable positions. The ladies on the front seats in the galleries lean over to catch a better view of the ogre from Ohio. The hitherto sleepy-looking occupants of the reporters' gallery shake off their indifference, exchange hurried remarks with each other, and lean over to notice how he opens, for this speech has been talked about and expected a long time. . . . . He begins boldly, defiantly even, and is speedily preaching the very doctrine of devils. You can never subdue the seceded States. Two years of fearful experience have taught you that. Why carry on the war? If you persist it can only end in final separation between the North and South. And in that case, believe it now, as you did not my former warnings, the whole Northwest will go with the South!

"He waxes more earnest as he approaches this key-note of his harangues and with an energy and force that makes every hearer, as his moral nature revolts from the bribe, acknowledge all the more the splendid force with which the tempter urges his cause, with flashing eye and livid features and extended hand, he hurls the climax of his threatening argument again upon the Republican side of the House: "Believe me, as you did not the solemn warning of years past, *the day which divides the North from the South, the self-same day decrees eternal divorce between the West and the East!*" . . . .

"The group of Republicans standing in the open space before the Clerk's desk increases; they crowd down the aisles among the opposition and cluster around the speaker as he resumes. Even the eternal chattering in the ladies' galleries has ceased, the seats are all crowded, the correspondents and reporters have been attracted by the interest of the scene, and for a wonder the reporters' gallery is full and attentive.

"An effort is making on the floor to get a joint session of

the Military and Naval Committees, to hear a proposition from Cyrus W. Field, backed by the Secretary of War, about a submarine cable to New Orleans. One member after another flatly refuses to obey the call of the Chairman and leave the debate. The eminent telegrapher waits an hour in the Committee-room, and finally gets to see three out of fourteen members. Such is the interest the discussion of treason's argument is arousing.

"The speaker resumed: 'There is not one drop of rain that falls over the whole vast expanse of the Northwest that does not find its home in the bosom of the Gulf. *We must and we will follow it*, with travel and trade; not by treaty, but by right; freely, peaceably and without restriction or tribute, under the same Government and flag!'

"It is eloquently spoken, and none are more willing to concede it than his opponents. . . .

"He has spoken over an hour and a quarter, and has accomplished that rare feat, compelled the closest attention of the most disorderly deliberative body in the world, from the beginning to the end. . . .

"There is a gradual relaxation, a sudden humming of conversation again on the floor and through the galleries. The Democrats and Border State men, with faces wreathed in smiles, crowd around their champion with their congratulations. At a single step the shunned and execrated Vallandigham has risen to the leadership of their party. Deny it, as some of them still may, henceforth it is accomplished."

This speech was received by the Democrats everywhere with unbounded admiration, and even the Republicans acknowledged its great ability. The *Boston Courier*, one of the ablest of the Eastern papers, thus speaks of it:—

"It is an extremely able and a very honest speech. No one can read it and help believing that Mr. Vallandigham is a brave and honest man; and the speech itself affords irresistible evidence that it is his unfaltering devotion to the Union and the Constitution which has led those less loyal to stigmatise him as a secessionist and a traitor. His opinions will answer for themselves; but for its historical value and its strong grasp of the future, the speech ought to have the widest circulation."

The Cincinnati *Enquirer*, publishing it on the 20th, says:—

“We could not publish anything more valuable or interesting than this powerful speech, one of the ablest ever delivered in the halls of Congress, even in its palmiest days of glory. It is a speech which would add to the fame of a Clay, or a Webster, or a Burke, or a Chatham. In style it is worthy of Macaulay’s finest composition. It is a speech that ought to be read by every citizen of the United States, and especially by those who have been politically opposed to Mr. Vallandigham. They will discover in it a force of reasoning, a richness of historical illustration, a depth of patriotism, that they can not but recognise and admire in the fullest sense. This speech must produce a great effect upon public opinion in favor of the stopping of this war, and the concluding of an armistice.”

Three days later the same paper contained the following:—

“No speech has been made in Congress for years that has produced so great an effect in political circles, has been so universally admired for surpassing ability, for genuine and manly patriotism, for its wise statesmanship, as that of Mr. Vallandigham. It is a valuable and undying contribution to American Congressional eloquence, and will raise its author to a high place among the greatest men of the country.”

Such was the tone of the Democratic press throughout the country. In most of the Democratic papers the speech was published in whole or in part, and in pamphlet form it was circulated by tens of thousands.

A few sentences of this speech we present, peculiarly appropriate to these times of sycophancy to power, and unparalleled dishonesty, fraud and corruption in high places:—

“I had rather that my right arm were plucked from its socket and cast into eternal burnings, than, with my convictions, to have thus defiled my soul with the guilt of moral perjury. Sir, I was not taught in that school which proclaims that ‘all is fair in politics.’ I loathe, abhor, and detest the execrable maxim. I stamp upon it. No State can endure a single

generation whose public men practise it. Whoever teaches it is a corrupter of youth. What we most want in these times, and at all times, is honest and independent public men. That man who is dishonest in politics is not honest at heart in anything; and sometimes moral cowardice is dishonesty. Do right, and trust to God and truth, and the people. Perish office, perish honors, perish life itself; but do the thing that is right, and do it like a man. I did it. Certainly, Sir, I could not doubt what he must suffer who dare defy the opinions and passions, not to say the madness, of twenty millions of people. Had I not read history? Did I not know human nature? But I appealed to TIME and right nobly hath the avenger answered me."

Mr. Vallandigham rejected utterly at that time, both in private letters and interviews, and in his speech, the idea of final separation as the object of a cessation of hostilities; and in this he uttered but the almost universal sentiment of the Democratic party. He believed that the Administration was then willing to make peace upon the basis of such separation, and only desired to have their opponents commit themselves to the same policy, thereby sharing the odium and relieving them in part from the responsibility of the act. Failing in this, they rallied late in January, and resolving upon a more "vigorous prosecution of the war" than ever before, resorted at last to a formal suspension of the *habeas corpus*, an indemnity to the President and all under him, and the Conscription. At the same time a formidable effort was made to revive the scheme of a new "conservative" party to supersede the Democratic organization and oppose radicalism, but support the war. This time the movement was to comprehend a portion of the Abolition or Republican party; and chief among its leaders were to be Thurlow Weed and William H. Seward. Mr. Vallandigham could at that time obtain no opportunity to address

a public meeting in New York ; but being invited to speak in Newark, New Jersey, very near to the former city, he gladly availed himself of the occasion to denounce, in the severest terms, the proposed arrangement. Whatever may have been the effect of the speech, it is certain that the movement utterly failed.

On the 23d of February the Conscription Bill was under consideration in the House, and a debate ensued which for boldness, eloquence, and power has seldom been equalled. The bill had passed the Senate at midnight, in the absence of those who were opposed to it, who had not an opportunity even to record their votes against it. It was intended that there should be no debate upon it in the House, but the minority resolved that they would be heard, and by parliamentary tact and skill they secured discussion. Crittenden, Pendleton, Voorhees, Biddle, and others put forth their whole strength. Mr. Vallandigham addressed the House at night in a speech unprepared, and without a single note, except the paging of the extracts which he read, but which, in the language of Mr. Voorhees, "held the House spell-bound," many upon both sides regarding it as his ablest Congressional effort, surpassing in argumentative force and concise vehemence his speech of the 14th of January. The bill finally passed, but not until it had been stripped of some of its most objectionable features.

This was Mr. Vallandigham's last speech in Congress, and nobly did it close his Congressional career. He concluded thus :—

"Sir, I have done now with my objections to this bill. I have spoken as though the Constitution survived, and was still the supreme law of the land. But if, indeed, there be no Con-

stitution any longer, limiting and restraining the men in power, then there is none binding upon the States or the people. God forbid! We have a Constitution yet, and laws yet. To them I appeal. Give us our rights; give us known and fixed laws; give us the judiciary; arrest us only upon due process of law; give us presentment or indictment by grand juries, speedy and public trial, trial by jury and at home; tell us the nature and cause of the accusation, confront us with witnesses; allow us witnesses on our behalf, and the assistance of counsel for our defence; secure us in our persons, our houses, our papers, and our effects; leave us arms, not for resistance to law or against rightful authority, but to defend ourselves from outrage and violence; give us free speech and a free press; the right peaceably to assemble; and above all, free and undisturbed elections and the ballot: take our sons, take our money, our property, take all else, and we will wait a little, till at the time and in the manner appointed by Constitution and law, we shall eject you from the trusts you have abused, and the seats of power you have dishonored, and other and better men shall reign in your stead."



## CHAPTER XI.

### THE ARREST.

ON the 4th of March, 1863, the 37th Congress adjourned. In compliance with invitations previously received, Mr. Vallandigham went Eastward to spend a week or two in that section before returning home. He arrived in Philadelphia on the afternoon of March the 5th; and from the *Inquirer*, a Republican paper, we take the following account of his reception, and of the speech he made that evening:—

“Clement L. Vallandigham, Democratic member of Congress for Ohio, arrived in this city yesterday afternoon and engaged rooms at the Girard House. His arrival was the occasion of a grand Democratic celebration, which took place last evening in front of the Girard House.

“Early in the evening the members of the Democratic Central Club assembled at the Club Room, on Walnut street, below Sixth, and formed in procession, headed by Beck’s band, proceeding from thence to the hotel, where Mr. Vallandigham was serenaded by the band. Previous to the appearance of Mr. Vallandigham, the street in front of the hotel presented a brilliant and enthusiastic appearance.

“The street was one blaze of fire-works, and the yells and cheers of the assembled crowd were deafening. On the appearance of Mr. Vallandigham these manifestations were increased, and continued for some time. After order had been in some measure restored, Mr. Charles W. Carrigan stepped forward and introduced Mr. Vallandigham to the crowd in attendance as a white man and a fearless champion of the rights of the people, and a steadfast supporter of the Democratic party. Mr. Vallandigham spoke as follows:

"He said he was present more to acknowledge the unexpected and enthusiastic greeting than to discuss public questions. He thanked the audience for the reception tendered him, and hoped that they would 'hear him for his cause, and be silent that they might hear.' He proclaimed himself a true Union man, as he always had been, and he intended to be so. He had differed with the Administration only as to the mode of preserving the Union. He had differed with them only in his support of the Constitution.

"The Administration had yet to learn that there were two Union parties in the country, if they really were for the Union as it was and the Constitution as it is. The only true, unconditional Union party was the Democratic party, which had maintained and preserved the Union for over sixty years. The Administration must be taught that men have a right to differ as to the mode in which the Union is to be maintained. If, in the discussion of this question, the Democrats were defeated at the ballot-box, they would submit, and would require the same from their opponents, if beaten.

"The speaker argued that the Federal Government was supreme within its limits, as were also the State Governments. Each should be obeyed to the extent of its authority. That the speaker was a Union man was not what had been said of him by a lying press, and he rejoiced that the time had come when he could vindicate himself from the malicious charges which had been hurled against him. Until the Democratic party get into power, which would be the case in March 1865, they would exercise the right to adopt every means tending to the restoration of the Union.

"The great plan which the speaker advocated to this end was to call a convention of all the States, which, he argued, would result in a restoration of the Union and the perpetuation of peace. In the meantime there will have to be a cessation of the charges of treason made against the Democratic party. . . . He continued at some length, arguing the propriety of calling a convention of the States for effecting a solution of the difficulties in which this country is involved."

The concourse in front of the hotel during the delivery of his speech was very large, and at the close of the meeting he was handsomely entertained by the "Philadelphia Club" at

their rooms; and the cordiality with which he was received, and the kindness with which he was treated during his sojourn in the city, were to him exceedingly gratifying.

The next day he went to New York, and on Saturday evening delivered a long, able, and eloquent speech before the Democratic Union Association at their headquarters in Broadway. Though the evening was most inclement and stormy, the room was packed to its utmost capacity. After being introduced by Mr. Luke F. Cozans, President of the Association, and greeted with loud and protracted cheers, he spoke as follows:—

*Gentlemen*:—I was not aware till after my arrival here a few hours ago of the stereotyped threats that this man or that man representing certain sentiments should not be permitted to speak in the city of New York. If I had known it, I probably would have taken an earlier train and been here a few hours in advance. [“Good,” and applause.] The spirit of those before me sufficiently proves the time for all that has gone by. I am here to speak to-night regardless of all threats [“Good, good,” and cheers]; and if there were any disagreeable consequences to follow, regardless of those consequences. [Loud cheers.] But there are none; and I am here to speak just such things as in my judgment a true patriot and a free man ought to speak. [Enthusiastic cheers.] I accepted the invitation very cordially to address this club, and came at no inconsiderable personal sacrifice, because the exigencies of the times which are again upon us with threatening aspect, not only justify, but in my judgment demand of every public man that all personal considerations should be laid aside for the public good. [Applause.] I know as well as any man the pressure that is now made upon the Democratic party with the vain hope of crushing it out. These men who are in power at Washington, extending their agencies out through the cities and States of the Union, and threatening to re-inaugurate a reign of terror, may as well know that we comprehend precisely their purpose. I beg leave to assure you that it cannot and will not be permitted to succeed. [Applause.] The people of this country endorsed

it once because they were told that it was essential to the speedy suppression or crushing out of the rebellion and the restoration of the Union ; and they so loved the Union of these States that they would consent even for a little while, under false and now broken promises of the men in power, to surrender those liberties in order that that great object might be, as it was promised, accomplished speedily. They have been deceived ; instead of crushing out the rebellion, the effort has been to crush out the spirit of liberty. [Cheers.]

“The conspiracy of those in power is not so much for a vigorous prosecution of the war against rebels in the South as against the democracy in peace at home. [Cheers.] And now no effort, however organised, premeditated or well concerted, to restore those times through which we have passed, and which will stand upon the pages of history as the darkest of all the annals of America — no effort, I say, will be permitted to succeed, and the sooner they comprehend that the better, and the less trouble there will be in the land. [Applause.] We were born to an inheritance of freedom ; the Constitution came to us from our fathers ; it guaranteed to us rights and liberties older than the Constitution itself — God-given, belonging to the people, belonging to men, because God made them free — and we do not mean to surrender one jot or tittle of those rights and liberties. [“Amen,” and loud cheers.] Yet nothing but the consciousness that just at this moment men desperately wicked have deliberately determined to make one last expiring effort to break down the reaction set in from the people against the policy of this Administration, against this party in power, and the conviction that it was necessary to meet that instantly and everywhere, could have induced me to be here to-night, wearied and exhausted as I am with the labors of Congress, which, thank God, has just expired [Laughter and cheers], absent from home for many months, my own business neglected, the politics of my own State allowed to pass by for the present — nothing, I say, but these considerations could have induced me to be present to-night ; but I rejoice that I am here, and look in the face, and am looked in the face by freemen — men whose eyes speak the determination of their hearts to meet this crisis with whatsoever exigency this Administration may choose to make necessary. [Applause.] I am no revolutionist ; I am in all things as far as practicable a

peace man, and want peace and order in this country. I am ready to submit to many things that I think had better not be attempted, just so long as assemblages of the people, and the ballot, which are the great correctives of evil, and which were intended by our fathers to be the machinery by which peaceable revolution should be accomplished in the administration of government, remain untouched; but I say to the Administration: 'Lay not your hands at the foundation of the fabric of our liberties; you may lop off a branch here and there, and it will survive; we may tolerate that for the sake of a greater good hereafter; but whenever you reach forth your hand to strike at the very vitals of public liberty, then the people must and will determine in their capacity what remedy the occasion demands.' [Cheers.] But we have not come to that; I have seen enough already to satisfy me upon that subject, not in the West only, about which there can be no doubt, but in Philadelphia, the most terror-ridden city in the Union eighteen months ago. The spirit of the men born within the sound of Independence bell yet survives in all its grandeur and its majesty [applause]; and I think I can answer, not merely from what I see here to-night, but from what elsewhere in other ways I have learned, that the spirit of the people of New York is not behind."

After referring to some of the arbitrary measures of the men in power, and their infringements on the rights of the people, he continues:—

"Now, all this, infamous and execrable as it is, is enough to make the blood of the coldest man who has one single appreciation in his heart of freedom, to boil. [Loud applause.] Still, so long as they leave to us free assemblages, free discussion and a free ballot, I do not want to see, and will not encourage or countenance any other mode of getting rid of it. ["That's it," and cheers.] We are ready to try these questions in that way; but I have only to repeat what I said a little while ago, that when the attempt is made to take away that other right, and the only instrumentality peaceably of reforming and correcting abuses — free assemblages, free speech, free ballot and free elections — that then the hour will have arrived when it will be the duty of freemen to find some other and

efficient mode of defending their liberties. [Loud and protracted cheering, the whole audience rising to their feet.] Our fathers did not inaugurate the Revolution of 1776, they did not endure the sufferings and privations of the seven years' war, to escape from the mild and moderate control of a constitutional monarchy like England, to be at last in the third generation subjected to a tyranny equal to that of any upon the face of the globe. [Loud applause.] Now, Sir, I repeat that it will not in my judgment come to this. I do not believe that this Administration will undertake to deprive us of that right. I do not think it will venture for one moment to attempt to prevent, under any pretext whatever, the assembling together of the people for the fair discussion of their measures and policy. I do not believe it, because it seems to me with all the folly and madness that have been manifested in these high places, it seems to me they must foresee what will inevitably follow. Believing this, and believing that the best way of averting the crisis is to demand inexorably and resolutely, with the firmness and dignity of freemen, these rights, and let them know distinctly that we do not mean to surrender them, I am here to-night to proclaim it just as I have. [Loud applause.]

The following is the closing paragraph of his speech:—

“I make no threats—no wise man ever did. [Cheers.] I never yield to threats, therefore I expect no one else to yield; but, as I have said, in the spirit of warning, as one who would avert a struggle which this people will make to maintain their liberties, I have spoken, and I would that my voice could penetrate that most impenetrable of all recesses, the precincts of the White House, and that the men who are surrounded by the parasites of power—the flatterers who are the vermin of courts, with that legion of contractors and place-men who speak not the truth and represent not the people—that a voice from the people could reach their ears, and that the voice being heard might be heeded. Then shall we escape the convulsions which have visited other countries; the scenes of revolutions in former times will not be enacted in our midst, but peaceably and quietly, under the Constitution and in accordance with law, the changes of administration successively year after year will go on in this country, which before God I believe, and it is the faith and hope of my heart, is destined yet once again in peace,

happiness and prosperity to realise that most splendid of visions that ever fell upon human eyes — one Union, one Constitution, one Destiny.”

From New York city Mr. Vallandigham proceeded to Albany, and after conferring with leading men of the party on the state of the country, passed into Connecticut, and made a speech or two in the canvass then in progress preparatory to the approaching election. He then turned his face homeward, and arriving at Dayton on the 13th of March, received a most cordial and enthusiastic welcome. The account of it is thus given in the *Dayton Empire*:—

“Hon. C. L. Vallandigham arrived at his home in this city at 4½ yesterday P. M., and although but two days’ notice was had of his coming, received one of the greatest ovations ever given to any man in Ohio. Long before the hour of arrival of the train on which he was expected, his constituents began to flock to the depôt by thousands. It seemed as if every man, woman and child in the District had come out to do honor to this champion advocate of Constitutional right. Two bands of music enlivened the occasion, while a cannon belched forth with its thunder-tones of welcome, awakening the valley of the Miami as it was seldom if ever awakened before. Presently the whistling of the locomotive was heard, and as the train neared the depôt, the thousands of persons rushed forward, all eager to catch the first sight of the man who has so nobly, gallantly and fearlessly represented the *white man’s* interest in the Congress that has just adjourned. The crowd was so dense that it was almost impossible for Mr. Vallandigham to reach the carriage which was in readiness to convey him to the Court House, from the steps of which he was to speak. Having at length been almost carried to his carriage, and being seated, he was hailed with deafening cheers, while the cannon responded with thirty-four rounds. The procession being formed, preceded by the Marshals and bands of music, proceeded to the Court House, where the reception speech was made by Hon. David A. Houk, who said:—

“Honored Sir:—I have been commissioned by your friends

of this city and county, and throughout the 3rd Congressional District, to extend to you upon this occasion, and in their behalf, their most cordial and friendly greeting, and to bid you a hearty welcome upon your return to the bosom of your home and of your friends.

"There is perhaps no public man in the country who has more reason to be proud of the devotion of his hosts of friends than yourself. This vast assemblage, Sir, by their very presence here, speak in a language far more potent and significant than any words I can utter, their heartfelt approval and commendation of your course as their representative in the councils of the nation. For you have been a peace man, Sir, and we honor you for it. You proclaimed to the people when this most unnatural, and in the language of the President, this *unnecessary and injurious* civil war was about to be inaugurated, that a conflict of arms would but widen the breach, that a government founded upon the principle of consent—a free government—could never be maintained by force. You had learned your lessons of wisdom from the principles of the fathers who conceived and established our system of government. These principles, founded in eternal truth at the very inception of the great political organization to which you and I have the honor of belonging, were engrafted upon its creed.

"You, Sir, have been a faithful sentinel upon the watch-tower of public liberty; and in the darkest hours of the night, and when the storms of popular fury raged most fiercely, have kept the light of hope burning, and have promptly, fearlessly, and resolutely sounded the alarm upon every approach to danger.

"An ancient Jewish king, upon a memorable occasion, as we are informed by the Inspired Book, called all the princes of Israel, the captains, the stewards of all the substance of his household and of his children, and all the valiant men, unto Jerusalem. And when he had assembled them about him, he stood up upon his feet and said: 'Hear, my brethren, and my people; as for me, I had it in my heart to build a house of rest for the ark of the covenant of the Lord, for the footstool of our God, and had made ready for the building; but God said unto me, Thou shalt not build a house for my name, because thou hast been a man of war, and hast shed blood.'

*"When the shattered Temple of Constitutional Liberty comes*



*to be reconstructed in this country, it will not be done by the men of blood.*

“You, Sir, have not been unmindful of these Divine admonitions, and of the promises of the Gospel of Peace as uttered by Him who spake as man never spake — ‘Blessed are the peace-makers, for they shall be called the children of God.’

“You, Sir, may well feel truly thankful that your counsels have contributed no aid or encouragement to the plunging of the country into this fearful and bloody civil strife. The blood of the 300,000 victims that have been sacrificed will fall upon other heads than yours.

“In view of the valuable and distinguished services which you have rendered as the Representative of this people, and of your bold, able and manly vindication of the principles of free government and of popular liberty, whenever and wherever they have been assailed, regardless alike of the frowns of tyrants and usurpers, and the slanders, vituperation and abuse of their venal presses and minions, permit me, Sir, in conclusion, to say that we have thought this public occasion appropriate and fitting to give expression of our gratitude to you for the faithful manner in which you have performed your trust.

“With the earnest wish, Sir, that your life may be spared for many long years of future usefulness, I extend the right hand of fellowship, and again bid you a cheerful and hearty welcome home.

#### “MR. VALLANDIGHAM'S RESPONSE.

“After acknowledging in fitting terms the cordial and enthusiastic reception, he referred to the struggle now going on between despotic power and liberty, and of the determination of the Democratic party to maintain free speech, a free press, and the ballot-box at all hazards. He was for obedience to all laws, and for requiring the men in power also to obey them. He would try all questions of Constitution and law before the courts, and then enforce the decrees of the courts. He was for trying all political questions by the ballot. He would resist no law by force; he would endure almost every other wrong as long as free discussion, free assemblages of the people and a free ballot remained; but the moment they were attacked, he would resist. We had a right to change Administrations, and policies and parties, not by forcible revolution, but by the ballot-box;

and this right must be maintained at all hazards. He would try the question of the constitutionality and validity of the Conscription Act in court, and argue its inexpediency and odiousness before the people, but would have no resistance to it.

“He closed by a touching allusion to the assassination of his friend Bollmeyer, the first martyr in the cause of Constitutional liberty. He missed from that vast assemblage one familiar face, one manly form. That form once possessed as manly, as noble a heart as God ever gave to man. That form now mouldered beneath the clods of the valley, but his memory was still dear, and would ever remain so to the friends of the Union and of law and order.

“Mr. Vallandigham descended from the steps, from where he had spoken, entered his carriage, and was escorted by the crowd to his residence.”

The following additional account is from the same paper:—

“The reception of Mr. Vallandigham at the depôt last evening was one of the most enthusiastic affairs we ever witnessed. Several thousand people — mostly personal and political friends of the distinguished Congressman — assembled at the depôt some time before the arrival of the train, while the cannon ‘awakened the echoes’ at frequent intervals. When the train arrived, and Mr. V. made his appearance on the platform, the cheers that greeted him left no doubt about the sincerity of the welcome extended to him by the people on his return home. The shouts were really deafening; and the waving of white handkerchiefs from hundreds of fair hands gave unmistakable evidence of the interest the ladies felt in the safe return of the gentleman whom they had assembled to honor.

“The Reception Committee were relieved of their office by the crowd, who took up Mr. V. on their shoulders, and bore him, amid the shouts and congratulations of his fellow-citizens, to the carriage awaiting him. The procession was then formed by Marshals Egry and Kline, and the crowd, preceded by the Regimental Band, and followed by the Salem Band, proceeded to the Court House. The side-walks were crowded all the way up from the depôt, and demonstrations of welcome were made by the people all along the streets. At the corner of Main and Third, Mr. V. was conducted to the area in front of the

Court House. As we have already stated, an account of the meeting at that point is given elsewhere. After Mr. V. had concluded his remarks, he was again conducted to the carriage, and the procession again formed, and accompanied him home, when he was carried into the house. Altogether, it was by far the most hearty and enthusiastic welcome ever extended to any one in this city."

On his return home Mr. Vallandigham found his own State, and Kentucky, Indiana, and Illinois formed into a military district and placed under the command of General A. E. Burnside, a rash, weak, and ignorant man, who, evincing at the battle of Fredericksburg his total incapacity to contend with armed rebels at the South, had been sent to control unarmed Democrats in the West — men as true to the Union as he was, but who claimed the privilege of dissenting from the policy of the Administration, and freely expressing their views on public affairs. He found the Constitution ignored, the laws disregarded, and in their stead military orders of the most despotic kind which the people were expected implicitly to obey. One of these was Order No. 38, threatening severe punishment to those who should be guilty of *implied* treason! Another was Order No. 15, prohibiting the people to keep and bear arms; and a third, No. 9, prohibiting any criticism whatever of the civil or military policy of the Administration. To such gross violations of the provisions of the Constitution, such palpable infringements of the rights of the people, Mr. Vallandigham could not patiently submit, and at various meetings which he addressed during the months of March and April he denounced them in unsparing terms, and declared his intention, in the future as in the past, to criticise and condemn whatever was wrong in the course and conduct of the men in power. He

believed that it was their intention utterly to subdue the spirit of the people, to crush out freedom of the press, freedom of speech, and freedom of assembling together to discuss political subjects; and this despotism he was determined to resist at all hazards, declaring in one of his speeches, "If it be really the design of the Administration to force this issue, then come arrest, come imprisonment, come exile, come death itself! I am ready here to-night to meet it."

On the 21st of March a very large meeting was held in Hamilton. Mr. Vallandigham was present, and commented freely and severely on Order No. 15, which had just been issued. His remarks will sufficiently indicate the character of that order.

"I will not speak disrespectfully of Colonel Carrington; he and I served pleasantly together in the militia of Ohio on the peace establishment [laughter], and I found him always gentlemanly in his deportment. I am glad to learn that he is still so regarded at Indianapolis. How could he have issued such an order? I know he is 'great' on general orders; but such a one passes my comprehension. I am sure he cannot want to do wrong, for he must know that two years hence, under the legislation of the late Congress, a Democratic President or Secretary of War—and who knows but I may be Secretary of War myself? [laughter and cheers]—can strike his name from the roll without even a why or a wherefore. It would be well for all ambitious military gentlemen just now to recollect this small fact and confine themselves strictly to their legal and Constitutional military duties, and to allow others to enjoy their opinions and civil rights unmolested.

"But to the order. Here it is:—

" 'HEADQUARTERS UNITED STATES FORCES, }  
 " 'INDIANAPOLIS, IND., *March 17, 1863.* }

" 'General Order No. 15.

" '1. The habit of carrying arms upon the person has greatly increased.' Well, so it has, and in times of threats and

danger like these, it ought to, and in spite of all orders it will increase. 'And is prejudicial to peace and good order.' Sir, restore to us peace and good order, and we will lay aside all arms, and be glad of the chance. [Great applause.] 'As well as a violation of civil law.' I deny it; but if so, who gave authority to this gentleman to lecture on civil law in a military order? 'Especially at this time it is unnecessary, impolitic and dangerous.' Was ever the like read or heard of before? 'At this time'—at a time when Democrats are threatened with violence everywhere; when mobs are happening every day, and Democratic presses destroyed; when secret societies are being formed all over the country to stimulate to violence; when at hotels and in depôts, and in railroad cars and on the street corners Democrats are scowled at and menaced, a military order coolly announces that it is unnecessary, impolitic, and dangerous to carry arms! And who signs this order? 'Henry B. Carrington, Colonel 18th U. S. Infantry, Commanding.' Commanding what? The 18th U. S. Infantry, or at most the United States *forces* of Indiana—but not the people, the free white American citizens of American descent not in the military service. That is the extent of his authority, and no more.

"And now, Sir, I hold in my hand a general order also—an order binding on all military men and all civilians alike—on colonels and generals and commanders-in-chief, State and Federal. [Applause.] Hear it: '*The right of the people TO KEEP AND BEAR ARMS shall not be infringed.*' By order of the States and people of the United States, George Washington commanding. [Great cheering.] That, Sir, is General Order No. 1—the Constitution of the United States. [Loud cheers.] Who now is to be obeyed—Carrington or Washington?

"But I have another 'order' yet. 'The people have a right to *bear arms* for their *defence* and *security*, and the military shall be in strict subordination to the civil power.' [Renewed cheering.] That, Sir, is General Order No. 2—the Constitution of Ohio, by order of the people of Ohio. Here, Sir, are our warrants for keeping and bearing arms, and by the blessing of God we mean to do it; and if the men in power undertake in an evil hour to demand them of us, we will return the Spartan answer, 'Come and take them.'

"But Colonel Carrington's order proceeds:—'The Major-General commanding the department of the Ohio.' Command-

ing whom, again I ask? Only the military forces of the department of Ohio, but not a single citizen in it. 'Having ordered that all sales of arms, powder, lead, and percussion caps be prohibited until further orders.' Where, Sir, is the law for all that? Are we a conquered province, governed by military proconsuls? And so then has it come to this, that the Constitution is now suspended by a military general order No. 15! Sir, the constitutional right to keep and bear arms carries with it the right to buy and sell arms; and fire-arms are useless without powder, lead, and percussion caps. It is our right to have them, and we mean to obey general orders Nos. 1 and 2, instead of No. 15. [Loud applause.]

"But I read further:—'And that any violation of said order will be followed by the *confiscation* of the goods sold, and the seizure of the stock of the vendor.' Is the man deranged? Confiscation indeed! Why, Sir, the men who are clothed now with a little brief authority seem to think of nothing except taxation, emancipation, confiscation, conscription, and every other word ending in t-i-o-n. [Laughter.] But General Order No. 1 says, 'No man shall be deprived of property without due process of law;' and General Order No. 2 says 'private property shall ever be held inviolate, and every person for an injury done him in his land, *goods*, person or reputation, shall have remedy by due course of law.' And though the writ of *habeas corpus* may be suspended, the writs of replevin and injunction cannot be. [Cries of "good, good."]

"But Order No. 15 proceeds: 'And said order having been extended by the Major-General to cover the entire department, is hereby promulgated.' Yes, promulgated—'for immediate observance throughout the State.' Can military insolence go further? Is this the way the military is to be in strict subordination to the civil power? And does the Colonel commanding the 18th United States Infantry thus undertake to promulgate a general order suspending or abrogating the Constitution of the United States and of Indiana? Are we living in America or Austria?

"And now the fitting commentary on all this attempt to disarm the white man, while public arms are being put into the hands of the negro, is in the second section of this general order No. 15, alluding to the recent destruction of a Democratic printing-press, by what the Colonel commanding the 18th

U. S. Infantry, drawing it mild after the fashion of Sairey Gamp, calls 'a popular demonstration;' and yet not one of the perpetrators of this outrage, although soldiers and under military law, have been punished, nor ever will be. Yet at such a time of lawless violence it is proposed that the people shall be disarmed! Never! [Loud cheers.] Sir, I repeat now what I believe to be the true programme for these times: Try every question of law in your courts, and every question of politics before the people and through the ballot-box; maintain your constitutional rights at all hazards against military usurpation. Let there be no resistance to law, but meet and repel all mobs and mob violence by force and arms on the spot. [Great and continued cheering.]”

About this time he wrote the following letter to Alfred Sanderson, Esq., of Lancaster, Pa.:—

“DAYTON, OHIO, April 24, 1863.

“My engagements in New York precluded me from accepting your invitation and addressing you previous to my return West. I expect to go East about the 12th of May or 16th of June, and if I do, I will if possible visit Lancaster going or coming, and address your Democracy. Indeed, it will give me great pleasure to comply with your invitation. Should I be able to come, I will advise you in time.

“Meanwhile let me say that everything depends on keeping the Democratic party up to the full measure of principle and sound policy, true to the Constitution, faithful to the Union, steadfast to the Government which they constitute, and devoted to liberty at the hazard of life itself. Truth and reason applied to these high and sacred objects are the only powers or agencies left to the Democracy, and by a bold and manly use alone of them can we succeed in the elections. Everything else is in the hands of the Abolition party—the Administration. Through the press, but especially by public meetings and open and courageous organization, this use is to be made. Good men individually upon our ticket will not be enough. The people are not now voting for men, but for ideas, principles, policies. No public man is worth a rush now unless he represents something besides candidacy for an office. Enthusiasm is

power — a greater power, especially among the masses, among workingmen and a rural population, than any agency which this Administration can bring to bear, whether it be corruption or force ; but there can be no popular enthusiasm for any one, above all just in these times of powerful commotion, unless he is the embodiment, or at least a representative, of some great principle or cause. And to be effective it must be antagonistic to some other and opposite principle or cause ; and the stronger and more direct the antagonism, the better. This is essential now.

“ Last summer and fall the Administration was unsettled, ostensibly at least, in its policy, and its party therefore more or less divided. Not so now. It has a policy, and means steadfastly to adhere to it. Whoever supports the Administration now, supports its policy. All *apology* for temporising by the Democratic party is utterly gone. The Administration Abolition party is thoroughly consolidated, and unquestionably it is now contending solely for *unity and a strong centralised government through war, and, failing in this, then disunion*. And it will rally to its support all men who from any cause, sentiment, or interest, are in favor of either the object or the means. Now the direct antagonism of all this is, *union and constitutional liberty through an honorable peace*. And what nobler principle or idea, what holier cause for the Democratic party to struggle for? Arguments and appeals without number, the strongest ever urged, can be arrayed in its support — from religion, from philosophy, from human nature, politics, history, from the principles of our form of government, and from the utter and inevitable failure of all other means of securing that great end. With all these agencies at our command, an enthusiasm can be evoked from the hearts of the people before which all opposition will be swept away as by a consuming fire.

“ The recent elections throughout the Northwest have resulted most auspiciously for the Democratic cause, and carry rejoicing to every patriotic and truly Union heart.

“ Very truly,

“ C. L. VALLANDIGHAM.

“ ALFRED SANDERSON, Esq.”

On the evening of the 30th of April he addressed a meeting in Columbus. A brief account of the meeting and of his speech we take from the *Ohio Statesman* of May 2d :—



“Early on Thursday evening the people began to gather at the west front of the State House, to hear an address from Hon. C. L. Vallandigham. Hemmersbach’s band came up and played inspiring national airs. The assembly continued to increase and soon swelled to two or three thousand persons, a goodly proportion of whom were ladies.

“The meeting was organised by the appointment of E. F. Bingham, Esq., as Chairman. Mr. Vallandigham then proceeded to address the vast assemblage in an eloquent and impressive speech of over two hours in length. He made a bold and manly defence of the right of the people to assemble in times of peace or war, and to discuss and hear discussed the policy of any administration, and to approve or condemn the official acts of any one in civil or military authority.

“Mr. V. declared his unfaltering devotion to the Union of the States, and that never with his consent should peace be purchased at the price of disunion. Such, he affirmed, was the universal sentiment of the Democratic party. He demonstrated that the leaders of the opposite party, while they had persistently from the beginning of the war rejected all measures for the restoration of peace *with* the Union, had been ready and willing to agree to a peace upon terms of disunion. It was because Democrats would not agree to any settlement of the great controversy which did not contemplate the restoration of the Union with all the States in it, and with the rights of all under the Constitution unimpaired, that they were denounced by Abolition disunionists as rebels and traitors.

“Many other points were made by Mr. V., to which we have not space even to allude. During his long speech, quiet and good order pervaded the entire audience, unbroken, save by the low murmur of some Abolitionist who retired wounded from the field, or the loud shouts of approval that frequently rose from the audience.”

On the next day, the first day of May, Mr. Vallandigham addressed a very large assemblage at Mt. Vernon, and as this was the occasion on which he made the speech for which ostensibly he was arrested, we will give a fuller account of the meeting than would otherwise be necessary; and for this

account we are indebted principally to James T. Irvine, Esq., one of the secretaries. After speaking of the assemblages of the people at various places in the fall of 1862 and the spring of 1863, he says:—

“The meetings I have referred to were purely voluntary and spontaneous; indeed the Democracy were solicitous for them all over the State. They proceeded from the people themselves in their several localities, and were not appointed or called for by State Central Committees or organizations. Mr. Vallandigham regarded these demonstrations of popular opinion as favorable signs of the times — as manifestations of such an overwhelming popular sentiment in behalf of the old system of government according to the Constitution and laws as would oblige the Lincoln Administration to observe the established requirements of ‘the best government the sun ever shone upon.’ In conversation with friends, including the writer, Mr. Vallandigham expressed strongly his opinion that such meetings and keeping them up were necessary to maintain, preserve and perpetuate the spirit of liberty among the people at large, and thus save it from being utterly destroyed in this country by the despotism and tyranny of the ruling powers. And not only Mr. Vallandigham, but many others of our leading men believed and held that the vindication, by these meetings and the speeches addressed to them, of the right of the people to peaceably assemble and discuss public affairs and petition for a redress of grievances, was what secured that right then and thereafter from being forever stricken down. And it is a conviction in the minds of the Democracy of Ohio to-day that their manly nomination and support by speech, press and votes, and with their lives if necessary to an exercise of their right to do so, of Mr. Vallandigham for Governor in 1863, did more than anything since the American Revolution of 1776 to establish the right of freemen to speak and vote their opinions on questions of common interest and concern.

“The immense mass-meeting held at Mount Vernon, Ohio, on May-day, 1863, was not, however, held on Mr Vallandigham’s suggestion, but at the instance of the Democracy of Knox County, of which Mount Vernon is the county seat. The Democratic people of the county called for the meeting with

one accord. Hon. C. L. Vallandigham, Hon. Geo. H. Pendleton, Hon. S. S. Cox, and many other eminent speakers (including, I think, Hon. D. W. Voorhees, of Indiana), were specially invited by the local committee. As the time for the meeting came near, Mr. Vallandigham found he had made so many other engagements that it would not be convenient for him to be at the Mt. Vernon meeting, and this fact came to the knowledge of the local committee. The members of this committee felt the keenest disappointment, and in fact alarm, at the information of Mr. Vallandigham's probable absence. They knew there would be an immense meeting, that it would be clamorous for Mr. V. above everybody else, and that they (the members of the committee) would be severely criticised and censured for failing to procure Mr. V. as a speaker for the occasion. There was still another and stronger reason why Mr. V.'s presence was desired. A certain portion of the citizens of the county felt so indignant at the Abolition policy, the drafts and the arbitrary arrests and imprisonments by the Administration, that on the advice of indiscreet persons they were ready for opposition and even resistance of the most desperate nature. It was the good influence of Mr. Vallandigham to caution them against any such imprudence that made his presence and counsel so desirable and even requisite. L. Harper, Esq., editor of the Mt. Vernon *Democratic Banner*, was therefore sent to meet Mr. Vallandigham at the Neil House in Columbus to present the circumstances of the case as above stated, and not to take any refusal from Mr. V. to be present and make a speech. Mr. Harper took a note to Mr. V. from the writer of this letter (who was secretary of the meeting), urging him to come by all means for the reasons above stated. The consequence of these representations was that Mr. V. agreed with Mr. Harper to be on hand provided he was returned to Newark in the evening of the day of the meeting, so as to take a train from there and reach some other point in time to fulfil his next engagement. This agreement was executed accordingly.

"Although I cannot recollect Mr. Vallandigham's words in his speech to the meeting, I have a distinct impression of the fact that he counselled the people to be firm but temperate in their protests against the unwarrantable proceedings of the men temporarily invested with absolute power, and to trust to

the sober second-thought and the might of the people through the ballot-box to vindicate their true principles and outraged representatives.

“Other speakers at the meeting used stronger terms of denunciation than Mr. V., and hence there was much surprise that he was singled out for tyrannic vengeance. From the false allegations of the infamous spies and informers on which he was arrested, the summary trial by a packed military commission, the so-called ‘conviction’ contrary to the weight of evidence, and the sentence and exile, considered together, the inference was irresistible, in the minds of his friends at least, that his removal from before the people, to prepare the way for the complete intimidation and forcible and fraudulent crushing out of the people’s views and votes which followed in the State and Presidential elections of 1863 and 1864, had been deliberately resolved upon as a political necessity.”

In the foregoing statement an important fact is developed to which we invite special attention. A prominent reason why the presence of Mr. Vallandigham was especially desired at this meeting was that he might caution certain persons who, becoming restive under the oppressions to which they were subjected, were in danger of breaking out into open resistance. It was supposed that a caution from him who was well known for his firmness and courage and determination, would have weight: and the evidence is that such caution was given; that while he exhorted the people to stand firm in defence of their rights, he at the same time counselled them to be patient and forbearing, waiting for the “sober second-thought,” and looking to the ballot-box for a redress of their grievances.

The following account of the meeting we take from the *Democratic Banner* of May 9th, published in Mount Vernon:

“Friday, May 1st, 1863, was a proud and glorious day for the faithful and unconquerable Democracy of old Knox, and one that will long be remembered by them with high and

patriotic pleasure. Early in the morning the people began to come to town in wagons, carriages, and on horseback. Between ten and eleven o'clock the processions from the several townships arrived, and took the places assigned them by the Marshals. The processions were composed of wagons, carriages, buggies, &c., filled with people of both sexes and all ages, and of numerous horsemen. A remarkably large number of national flags, with *all* the stars of the Union as it was, on hickory poles, formed a very prominent and pleasing feature in each of these processions. A profusion of butternuts and liberty or copperhead pins, Union badges, and other appropriate emblems of Liberty and Union, were also distinguishable features.

"Between eleven and one o'clock the township processions were united, and the grand procession filed through the principal streets of the city, making a splendid display. It was from four to five miles in length, and was over two hours in passing any one point. About 500 wagons, carriages, &c., came to town in the township processions, a number of which, however, dropped out of line before the grand procession was formed. The Democracy of the city displayed numerous flags on their private residences and places of business, and the processions heartily cheered them as they marched by them. The scene was beautiful and exciting, as well as vast, and caused all the good and true Union men who witnessed it to rejoice in their hearts with the fond hope for the salvation of their country, well knowing that it is by the Democracy that this most desirable object must and can be accomplished. The greatest enthusiasm was manifested throughout the entire line of procession. Cheers upon cheers rent the air in hearty acclaim. The hearts and consciences of those giving them were pure and clear, and the sounds were harmonious, peaceful, and patriotic.

"One of the most noticeable and pleasing incidents of the procession and meeting, was a very large wagon drawn by six horses, from Wayne township, containing thirty-four young ladies representing the thirty-four States of the Union. The wagon was tastefully shaded with evergreens, in which the thirty-four young ladies were embowered.

"The principal stand from which Messrs. Vallandigham, Cox, and Pendleton spoke, was canopied by large and beautiful

American flags, and surrounded by various banners and emblems, all betokening the undying principles of the Democratic party.

"The first speaker introduced to the audience was the bold and fearless patriot and statesman, Hon. C. L. Vallandigham, who was received with such a shout of applause as fairly made the welkin ring. He proceeded to deliver one of the ablest and most inspiring true Union addresses ever made, in which he also evinced his unfaltering devotion to Liberty and the Constitution. Manliness, candor, genuine patriotism, and true statesmanship were manifested in the speaker throughout. If any of his lying detractors were present, it must have struck them with overwhelming force, and caused them to wince with a sense of their foul slanders. Mr. V. spoke for about two hours, and was listened to with the greatest attention, accompanied with tremendous shouts of applause."

A very interesting account of the meeting in a letter from Mt. Vernon, dated May 2d, was also published in the *Columbus Crisis*. The writer says:—

"In every point of view it was an unparalleled *county* meeting. Any fair estimate must put its numbers between fifteen and twenty thousand! . . . . It being well known that Mr. Vallandigham had come, an immediate and general call was made for him, and he was at once introduced to the vast assembly, which saluted him with three hearty cheers. Mr. Vallandigham addressed the great multitude of people for about two hours, making a most able, eloquent, and truly patriotic speech. It was a noble and glorious effort in behalf of Liberty, Union and the Constitution, and was listened to with wrapt attention, interrupted only by frequent enthusiastic responses and applause. It must have left an ineffaceable impression upon the minds of all who heard it. He showed and established conclusively which was the true Union, and which the disunion party, by tracing the history and proceedings of each from its origin to the present moment. The contrast between the life-long Unionism of the Democratic party, and the original and continuous disunionism of the Abolition party, was so glaring and true, that an Abolitionist with any degree of conscience must have

felt confounded and abashed at the recital. . . . Mr. V. spoke in words of burning eloquence of the arbitrary measures and monarchical usurpations of the Administration, the disgraceful surrender of the rights and liberties of the people by the last infamous Congress, and the conversion of the Government into a despotism. No candid man, after hearing Mr. Vallandigham, can for a moment doubt his sincerity and patriotism. These attributes of the man stand out in bold prominence, and are so palpable as not to be drawn in question by any honest man of common sense.

"It being apparent during the delivery of Mr. Vallandigham's speech that it was quite impossible for even his strong and clear voice to reach the edges of the crowd, besides which Main street for several squares below was blocked with people, it was proposed to organise another meeting at the corner of Main and Vine streets, which was gladly accepted. A large meeting was there convened. This second meeting being found insufficient to accommodate the immense number of people, a third large meeting was organised farther down Main street, in front of the Franklin House. In the evening, about eight o'clock, still another large meeting, a considerable proportion of which was composed of ladies, filled the spacious Court-room."

Such, somewhat abridged, are the accounts of the great meeting at Mount Vernon on the first day of May, 1863. These accounts were written at the time, before any arrest was made, or suspicion that any would be made, for acts done or words spoken on that memorable occasion. And taking them to be true, as they most unquestionably are, what was the spirit, what was the character of those who composed the meeting? They were true patriots, loving the Union, supporting the Constitution, obedient to the laws — never for a moment suspecting, while they marched that day in procession, or stood before the speaker's stand, with the flag of their country waving over their heads, and the fires of patriotism glowing in their hearts, that they were guilty of any offence for which

they could be called to account in a land that professed to be free, and by a party accustomed to boastingly blazon on their banners, "*Free soil, FREE SPEECH, free men!*" And so of the speakers who addressed them — Vallandigham, Cox, Pendleton, Kinney, Follet, Reamy, and others; so far from being conscious of any wrong, they felt that as sentinels on the watch-tower of liberty they were performing a solemn duty in sounding the alarm and warning the people of approaching danger, firmly believing that "eternal vigilance is the price of liberty," and clearly seeing that liberty was imperilled by constant encroachments on the part of the Executive and military satraps under him on the constitutional rights of the people.

The day after the meeting at Mt. Vernon Mr. Vallandigham returned home, and immediately heard rumors of his intended arrest. Such rumors he had often heard before. To an arrest on process from legal authority he did not object; nay more, he would have been pleased to appear before a civil tribunal and answer to any charges that might be brought against him. But a forcible, illegal, military arrest he was determined to repel, and when on a former occasion he had reason to apprehend it, he had made preparation to resist by thoroughly arming himself and stationing armed guards of his friends within his house and without; and for weeks at a time he sat up all night or lay down in his day-clothes in readiness to meet the minions of despotism, should they attempt to violate the sanctity of his dwelling. In a speech made on the 14th of the previous February in Newark, New Jersey, he thus refers to his feelings at that period:—

"Have any of you known that most terrible of all sensations, haunting you, walking with you, resting with you—the



apprehension of being arrested? Before God I never have been guilty of any offence against the laws of my country, or the laws written by a higher power—except through the frailties of human nature; but I have learned in my own person what of all sensations is the most horrible and oppressive—the fear of arrest. I knew it when night after night in my own house—which one of the noblest of Englishmen, and which my father told me, which the Constitution of my country told me, was my castle—when night after night, from the setting of the sun, when the gray star-light gathered around that which ought to have been a peaceful and undisturbed home, until day dawned, I watched in pain for every footfall upon the pavement and the sound of every carriage that rumbled along the street, lest some execrable minion should dare to attempt to cross the threshold of that castle. And it was not in Austria that that happened, not in Russia, not in old Rome under Nero or Caligula, but in the United States of America, under Abraham Lincoln.”

As from day to day the rumors to which we have referred became more rife, the friends who in former times had nobly stood guard in and around his dwelling again proffered their services, but he declined. There had been so many false alarms that he had come to the conclusion that no attempt would be made to arrest him in his own house, and consequently not only waived the kind offers of his friends, but also relaxed his own accustomed vigilance.

It was under these circumstances that on the evening of the 4th of May, Mr. Vallandigham and his family, consisting at that time of his wife, son, his wife's sister, and a young nephew of his own, and two domestics, females both, retired to rest at their accustomed hour. At half-past two o'clock in the morning they were rudely awakened from slumber by a violent knocking upon the front door. Arising, Mr. Vallandigham, who did not immediately suspect that it was a force coming to

arrest him, went to the front window of the room over the parlor. As he approached it he heard the tramp of armed men, the low voice of command given by officers, the rattling of arms, and mutterings and whispering of many people. Looking out, lights were seen gleaming amidst the shrubbery in the yard below, and the glittering of many bayonets shone bright from the gas-light near the house. As he threw open the shutters the sounds struck upon his wife's ears, and she screamed with affright. He demanded what was wanted. Captain Hutton, an officer of General Burnside's staff, who was in command, answered that he had been sent by that General to arrest him, and that he might as well come down and surrender. Mr. Vallandigham replied that he would not; that he, Captain Hutton, had no right to arrest him, and that General Burnside had no right to issue an order for his arrest. To this a threat was made that unless he would come down he would be shot. He answered this in a defiant manner, and then shouted for the police. By this time the whole household was up; his wife and sister-in-law, both very nervous, timid women, were weeping, nearly crazed by terror, and begging him to come away from the window; the servant girls were equally alarmed. After repeated threats to shoot, intermingled with entreaties, the officer in command ordered the front door to be forced; but it was found too strong, and a door in the rear was then attacked. The house now shook with the violent blows of axes upon the door, and the horrid clamor filled the hearts of the women with an agony of fear. At last the door gave way, and the rattling of ramrods and bayonets, as well as the half-suppressed oaths of the men as they rushed into the back parlor, arose clearly and distinctly

in the night air. Mr. Vallandigham still determined he would not surrender whilst there was any hope of rescue. He desired to delay the soldiery until some organised effort could be made by his friends outside to drive off his assailants. He had dressed himself whilst the soldiers were bursting open the door below ; and he arranged with his nephew, who had served in the Union army, to open fire on the soldiers as soon as they should be attacked from the outside. Another demand to surrender was sternly refused, and the soldiers mounted the stair and commenced battering away at the door of the room in which he stood. He then retired into another room which communicated with the one now attacked. In a few moments the second door was broken in, but lo! the victim was not yet brought to bay. A short interval of silence followed, and Mr. V. endeavored to soothe the affrighted ladies whilst he anxiously listened for the sound of footsteps coming to his aid ; nothing, however, but the measured tread of the sentinels could be heard on the outside. The third door was now attacked, and as there was no chance of successful resistance, he concealed his revolver and calmly awaited the entry of the troops. The house was full of soldiers, though the officer in command had not entered, and directly the third door gave way the soldiers broke into the room where he stood, and half a score of muskets were pointed instantly at him. Thereupon he said : " You have now broken open my house and overpowered me by superior force, and I am obliged to surrender." The muskets were lowered, and hastily though not roughly he was torn from the arms of his devoted wife and weeping child and hurried down stairs. Leaving his wife stupefied in agony of grief and alarm, he passed through the shattered panels of his doors into

the street. The bugles sounded the recall, and surrounded by soldiery he was marched rapidly to the depôt, and thence carried by the special train to Cincinnati, where after daylight he was taken to the military prison, Kemper Barracks.

The arrest and taking away of Mr. Vallandigham was made with the greatest expedition. - Not more than thirty minutes elapsed after the arrival of the special train from Cincinnati before the troops were back to the depôt with the prisoner, and the train immediately moved off. It was daylight in Dayton before the news of the arrest had become generally known, although fire-bells were rung a short time after he was taken away from his house.

The indignation aroused amongst the Democrats was fierce. Men with frowning brows and clenched fists were to be seen all over the city. As the day advanced the excitement rapidly increased; hundreds of men came in from the country around; crowds began to gather. The denunciations of the arrest and of those concerned in it, became louder and more violent. Those who had been very bitter and proscriptive amongst the Republicans became alarmed, and some left the city as quietly and secretly as possible. Towards evening the storm burst: suddenly the *Journal* office, the Republican organ of the county, was surrounded by a mob of frantic men; pistols and bowie knives gleamed. The office was attacked, its defenders fled; it was completely gutted, everything in it broken up and destroyed; the torch was then applied, and the sky was soon illuminated by the red light of blazing roofs. It was with the utmost difficulty that the Democratic leaders prevented the fiercely exasperated crowds from attacking and hanging prominent Republicans and from burning their dwelling-houses.

The railroads leading to Dayton were torn up; the telegraph wires were cut. It seemed as if a new civil war was impending. But the mob was poorly armed, had no organization or discipline, and no support from any other portion of the State. The attack upon the liberties of the people had been so sudden and unexpected that no concert of action existed even in Montgomery County. Leading Democrats were wise enough to see the folly of any warlike demonstration, that it would only lead to useless slaughter, and make bad worse. They exhorted the more imprudent to return to their homes, and succeeded in persuading them to do no further acts endangering the peace of the city; and when about ten o'clock the same night troops from Cincinnati and Columbus reached Dayton, they met with no resistance.

In the meantime, Mr. Vallandigham, who reached Cincinnati soon after daylight, had been taken immediately to the military prison, Kemper Barracks. Here he remained until evening, when by order of General Burnside, who had become greatly alarmed lest there should be a popular outbreak and attempt to rescue, he was hurried across the river to Newport Barracks, Kentucky, and there locked up for the night. The next morning he was taken back to Cincinnati and brought before the military commission. The same day, by Burnside's order, military arrests commenced in Dayton. More than thirty citizens were arrested and dragged down to the military prisons at Cincinnati, and for six weeks every Democrat of Montgomery County was at the mercy of an inebriate military commandant. Burnside's own brutal conduct towards the prisoners was consistent with his real character. He visited them more than once with oaths and curses. and in one instance

with blows vented his rage upon them. Mr. Vallandigham, during the trial before the military commission, was placed in room No. 246, in the attic; he was kept under a strong guard, who were ordered, in case of any attempt at rescue or escape, to put him to death. Similar orders had been issued to his captors previous to his arrest. A guard of soldiers with fixed bayonets and loaded muskets marched with Mr. V. to and from the Commission, and a squad of ten regulars kept watch day and night over his room, while sentinels paced the pavements below. Knowing that the object of his arrest was to intimidate the Democracy of the country, he took the earliest opportunity to write an address to the Democrats of Ohio, which is presented below. He also desired the people to know that although ignorant of his fate, he was not alarmed nor over-awed by the danger staring him in the face, and he wished to encourage his friends to stand firm and not bend to the storm. He wrote this address in Kemper Barracks prison, and it was smuggled out by a relative who visited him whilst he was kept in the Burnett House, and immediately published to the world:—

“MILITARY PRISON, }  
CINCINNATI, Ohio, May 5, 1863. }

*“To the Democracy of Ohio:—*

“I am here in a military bastile for no other offence than my political opinions, and the defence of them and of the rights of the people, and of your constitutional liberties. Speeches made in the hearing of thousands of you in denunciation of the usurpations of power, infractions of the Constitution and laws, and of military despotism, were the sole cause of my arrest and imprisonment. I am a Democrat—for Constitution, for law, for the Union, for liberty—this is my only ‘crime.’ For no disobedience to the Constitution; for no violation of law; for no word, sign or gesture of sympathy with the men of the South, who are for disunion

and Southern independence, but in obedience to *their* demand as well as the demand of Northern Abolition disunionists and traitors, I am here in bonds to-day ; but

‘Time, at last, sets all things even!’

Meanwhile, Democrats of Ohio, of the Northwest, of the United States, be firm, be true to your principles, to the Constitution, to the Union, and all will yet be well. As for myself, I adhere to every principle, and will make good through imprisonment and life itself every pledge and declaration which I have ever made, uttered or maintained from the beginning. To you, to the whole people, to TIME, I again appeal. Stand firm ! Falter not an instant !

“C. L. VALLANDIGHAM.”

## CHAPTER XII.

### TRIAL BEFORE MILITARY COMMISSION.

THE day after his arrest, Mr. Vallandigham was brought before a military commission for trial. The proceedings we give in full :

“CINCINNATI, *May 6, 1863.*

“The Commission convened at ten o'clock A. M.

“The Judge Advocate read the general order from the headquarters of the Department of the Ohio, appointing the following officers a commission to try all parties brought before it, and Mr. Vallandigham was asked whether he had any objections to offer to any member of the court.

“The following officers compose the court :

“Brig.-General R. B. Potter, President.

“Captain J. M. Cutts, Judge Advocate.

“Colonel J. F. DeCourcy, Sixteenth Ohio V. I.

“Lieut.-Colonel E. R. Goodrich, Com. Sub.

“Major Van Buren, A. D. C.

“Major Brown, Tenth Kentucky Cavalry.

“Major Fitch, One Hundred and Fifteenth Ohio V. I.

“Captain Lydig, A. D. C.

“Mr. Vallandigham said he was not acquainted with any of the members of the court, and had no objection to offer to them individually, but he protested that the commission had no authority to try him, he being neither in the land nor naval force of the United States, nor in the militia in the actual service of the United States, and was not therefore triable by such a court, but was amenable only to the judicial courts of the land.

“The members of the court were then sworn to try his case impartially.



"The Judge Advocate then read the following charge and specification :

" CHARGE.

" Publicly expressing, in violation of General Orders No. 38, from headquarters, Department of the Ohio, his sympathies for those in arms against the Government of the United States, declaring disloyal sentiments and opinions, with the object and purpose of weakening the power of the Government in its efforts to suppress an unlawful rebellion.

" SPECIFICATION.

" In this, that the said Clement L. Vallandigham, a citizen of the State of Ohio, on or about the 1st day of May, 1863, at Mount Vernon, Knox County, Ohio, did publicly address a large meeting of citizens, and did utter sentiments in words or in effect as follows : declaring the present war 'a wicked, cruel and unnecessary war ;' 'a war not being waged for the preservation of the Union ;' 'a war for the purpose of crushing out liberty and erecting a despotism ;' 'a war for the freedom of the blacks and the enslavement of the whites ;' stating 'that if the Administration had so wished, the war could have been honorably terminated months ago ;' that 'peace might have been honorably obtained by listening to the proposed intermediation of France ;' that 'propositions by which the Southern States could be won back and the South be guaranteed their rights under the Constitution, had been rejected the day before the late battle at Fredericksburg, by Lincoln and his minions,' meaning thereby the President of the United States and those under him in authority. Charging that the 'Government of the United States were about to appoint military marshals in every district to restrain the people of their liberties, to deprive them of their rights and privileges.' Characterising General Order No. 38, from headquarters Department of the Ohio, as 'a base usurpation of arbitrary authority ;' inviting his hearers to resist the same by saying : 'The sooner the people inform the minions of usurped power that they will not submit to such restrictions upon their liberties the better ;' declaring 'that he was at all times and upon all occasions resolved to do what he could to defeat the attempts now being made to build up a monarchy upon the ruins of our free government ;' asserting

‘that he firmly believed, as he said six months ago, that the men in power are attempting to establish a despotism in this country more cruel and more oppressive than ever existed before.’

“All of which opinions and sentiments he well knew did aid, comfort and encourage those in arms against the Government, and could but induce in his hearers a distrust of their own Government and sympathy for those in arms against it, and a disposition to resist the laws of the land.

“J. M. CUTTS,

*“Captain Eleventh Infantry, Judge Advocate, Department of Ohio.*

“Mr. Vallandigham was asked by the Judge Advocate what his plea was.

“Mr. Vallandigham refused to plead, and asked time to consult his counsel, and for process to compel the attendance of Fernando Wood, of New York city, who should be required to bring with him the letter which he received from Richmond in relation to terms offered for the return of Southern Senators to their seats in Congress, with the letter of the President declining to entertain the proposition.

“Mr. Vallandigham continuing to refuse to plead to the charge, the President directed that the plea of ‘not guilty’ be entered on the record.

“The Court then gave Mr. Vallandigham time to consult his counsel, and for that purpose ordered a recess to half-past one o’clock.

“The Court was then cleared for deliberation, as to whether the delay asked for by Mr. Vallandigham should be granted, and remained closed until near noon.

“The Court again met pursuant to adjournment, and the doors were opened.

“The President asked Mr. Vallandigham whether he desired to appear with counsel.

“Mr. Vallandigham said he did not. His counsel, George E. Pugh, George H. Pendleton, and Alexander Ferguson, remained in the adjoining room.

“The Judge Advocate announced that the case would be proceeded with, and called the first witness for the prosecution.

“Captain H. R. Hill, of the One Hundred and Fifteenth Ohio Volunteers, was sworn.

“*Question by Judge Advocate.*—Were you present at a meeting of citizens at Mount Vernon on May 1, 1863?

“*Answer.*—I was.

“*Q.*—Did you hear accused address that meeting?

“*A.*—I did.

“*Q.*—What position did you occupy at the meeting, and were you near enough to hear all he said?

“*A.*—I was leaning against the end of the platform on which he was speaking; was about six feet from him; I remained in this position during the whole time he was speaking.

“*By Judge Advocate.*—State what remarks he made in relation to the war; what he said about the President of the United States and the orders of military commanders.

“*Witness.*—In order that I may bring in events as they were referred to by the speaker, I ask permission of the court to refresh my memory from the notes which I took at the time.

“*President.*—You can read from your notes.

“*Witness.*—The speaker commenced by referring to the canopy under which he was speaking—the stand having been decorated with an American flag—the flag under the Constitution.

“*Judge Advocate.*—You need not give his introductory remarks. Confine yourself to what he said about the war.

“*Witness.*—After finishing his exordium he spoke of the designs of those in power being to erect a despotism. That it was not their intention to effect a restoration of the Union. That previous to the battle of Fredericksburg an attempt was made to stay this wicked, cruel and unnecessary war. That the war could have been ended in February last. That a day or two before the battle of Fredericksburg a proposition had been made for the re-admission of Southern Senators into the United States Congress, and that the refusal was still in existence over the President's own signature, which would be made public as soon as the ban of secrecy imposed by the President was removed. That the Union could have been saved if the plan proposed by the speaker had been adopted; that the Union could have been saved upon the basis of reconstruction, but that it would have ended in the exile or death of those who advocated a continuance of the war. He then referred to Forney, who was a well-known correspondent of the *Philadelphia Press* (and who had no right to speak for any but

those who were connected with the Administration), who had said that some of our public men, rather than bring back some of the seceded States, would submit to a permanent separation of the Union. He stated that France, a nation that had always shown herself to be a friend of our Government, had proposed to act as a mediator; but that her proposition, which, if accepted, might have brought about an honorable peace, was insolently rejected.

"Mr. Vallandigham here corrected the witness. The word he used was 'instantly,' not 'insolently.'

"*Witness.*—I understood the word he used to have been 'insolently.' That the people had been deceived; that 20,000 lives had been lost at the battle at Fredericksburg that might have been saved. In speaking of the objects of the war, he said it was a war for the liberation of the blacks and the enslavement of the whites. We had been told it would be terminated in three months; then in nine months, and again in a year. That the war was still in progress, and that there was no prospect of its being ended. That Richmond was theirs; that Charleston and Vicksburg were theirs; that the Mississippi was not opened, and would not be so long as there was cotton on its banks to be stolen, or so long as there were any contractors or officers to enrich. That a Southern paper had denounced him and Cox and the Peace Democrats as having done more to prevent the establishing of the Southern Confederacy than ten thousand soldiers could do. That they proposed to operate through the masses of the people in both sections who were in favor of the Union. That it was the purpose or design of the Administration to suppress or prevent such meetings as the one he was addressing. That military marshals were about to be appointed in every district, who would act for the purpose of restricting the liberties of the people; but that he was a freeman. That he did not ask David Tod, or Abraham Lincoln, or Ambrose E. Burnside for his right to speak as he had done and was doing. That his authority for so doing was higher than General Order No. 38—it was General Order No. 1—the Constitution. That General Order No. 38 was a base usurpation of arbitrary power; that he had the most supreme contempt for such power. He despised it and spat upon it. He trampled it under his feet. That only a few days before, a man had been

dragged from his home in Butler County by an outrageous usurpation of power and tried for an offence not known to our laws by a self-constituted court-martial — tried without a jury, which is guaranteed to every one; that he had been fined and imprisoned. That two men were brought over from Kentucky and tried, contrary to express laws for the trial of treason, and were now under the sentence of death. That an order had just been issued in Indiana, denying to persons the right to canvass or discuss military policy, and that if it was submitted to it would be followed up by a similar order in Ohio. That he was resolved never to submit to an order of a military dictator, prohibiting the free discussion of either civil or military authority. The sooner that the people informed the minions of this usurped power that they would not submit to such restrictions upon their liberties, and they would not cringe and cower before such authority, the better. Let them not be deluded by the image of liberty when the spirit is gone. He proclaimed the right to criticise the acts of our military servants in power. That there never was a tyrant in any age who oppressed the people further than he thought they would submit to endure. That in the days of Democratic authority Tom Corwin had in face of Congress hoped that our brave volunteers in Mexico ‘might be welcomed with bloody hands to hospitable graves,’ but that he had not been interfered with. It was never before thought necessary to appoint a captain of cavalry as Provost Marshal, as was now the case in Indianapolis, or military dictators as were now exercising authority in Cincinnati and Columbus. That a law had recently been enacted in Ohio, as well as in some other States, regulating the manner in which soldiers should vote; that the officers have to be judges of the election.

“The Judge Advocate objected to this part of the testimony as irrelevant.

“Mr. Vallandigham desired the court to permit the witness to go on with his testimony.

“*Witness.*—The speaker closed by warning the people not to be deceived. That an attempt would shortly be made to enforce the conscription law, and to remember that the war was not for the preservation of the Union, but that it was a wicked Abolition war, and that if those in authority were allowed to accomplish their purposes, the people would be deprived of

their liberties, and a monarchy established ; but as for him he was resolved that he would never be a priest, to minister at the altar on which his country was being sacrificed.

*“ Question by Judge Advocate.—What other flags or emblems were used in decorating the stage ?*

*“ A.—There were banners made of frame work, and covered with canvas, which were decorated with butternuts and bore inscriptions. One banner, which was carried at the head of a delegation which came in from a town in the country, bore the inscription, ‘The copperheads are coming.’*

*“ Mr. Vallandigham.—The South never carried copper cents.*

*“ Judge Advocate.—But butternuts are a Southern emblem.*

*“ Mr. Vallandigham shook his head, and said they were not.*

*“ Question by Judge Advocate.—Did you see any persons having emblems on their persons ?*

*“ A.—Yes ; I saw hundreds of persons wearing butternut and copperhead badges.*

*“ Mr. Vallandigham.—The copper badges were simply the head cut out of the common cent coins, with pins attached.*

*“ Mr. Vallandigham.—Did you notice what inscription these copperhead badges bore ?*

*“ A.—No ; I did not look at them.*

*“ Mr. Vallandigham.—The inscription on them was ‘Liberty.’*

*“ Question by Judge Advocate.—Did you hear any cheers in the crowd for Jeff. Davis ?*

*“ Mr. Vallandigham.—That is not in the specification.*

*“ A.—I did not hear cheers for Jeff. Davis, but I heard a shout in the crowd that ‘Jeff. Davis was a gentleman, and that was more than the President was.’*

**“CROSS-EXAMINED BY MR. VALLANDIGHAM.**

*“ Q.—Did not I refer in my speech to the Crittenden Compromise propositions, and condemn their rejection ?*

*“ As the witness was about answering, the Judge Advocate objected to the question, on the ground that it was bringing in matter foreign to the charge and specification. The court allowed the question to be answered,*

"A.—When endeavoring to show that the party in power had not the restoration of the Union in view in conducting the war, and that that was not their object, he stated a number of means by which that could have been accomplished; and from the fact that none had been adopted, he considered it proof that the restoration of the Union was not the object for which the war was being waged.

"Q.—Did I not quote Judge Douglass's declaration that the rejection —

"*Mr. Vallandigham.*—I desire to prove that in my speech I stated that Mr. Douglass had said that the responsibility for the rejection of the Crittenden proposition was with the Republican party.

"The Judge Advocate stated that his objection was that the question was bringing in political opinions and discussions with which the court had nothing to do.

"The room was cleared for deliberation and the doors closed.

"After an interval of fifteen minutes the doors were again opened, and then the Judge Advocate announced that the question would not be admitted.

"Q.—When speaking in connection with Forney's *Press*, did I not say that if other Democrats in Washington and myself had not refused all idea and suggestions of some prominent men of the party in power to make peace on terms of disunion, that I believe the war would have been ended in February?

"A.—When speaking of the propositions before referred to, and that this war was not being carried on for the restoration of the Union, he stated that if the Democracy in Washington had united in a plan for the permanent separation of the Union, it would have been accomplished in February.

"Q.—Did I not refer expressly to myself in that connection, and say that I had refused and always would refuse to agree to a separation of the States — in other words, on peace terms of disunion?

"A.—Well, that idea is not exactly as it was expressed. He stated something to that effect. That he wished to have a voice in the manner in which the Union was to be reconstructed, and that our Southern brethren should also have a voice in the matter.

"Q.—Referring to the Richmond *Enquirer* article, did I not say that it, Jeff. Davis's organ, had called Dictator Lincoln to

lock up Mr. Cox, Senator Richardson, and myself in one of his military prisons, because of our doing so much against Southern recognition and independence?

"A.—That is substantially what he said.

"Q.—Referring to General Order No. 38, did I not say that in so far as it undertook to subject citizens not in the land or naval forces of the United States, or militia of the United States in actual service, to trial by court-martial or military commission, I believed it to be unconstitutional and a usurpation of arbitrary power?

"A.—Yes, except in the words 'in so far.'

"Q.—Referring to two citizens of Kentucky tried by military court in Cincinnati, did I not say that what they were charged with was actual treason, punishable by death, and that if guilty, the penalty by statute was hanging, and they ought to be hung, after being tried by a judicial court and a jury; instead of which they had been tried by a military court, as I understood, and sentenced to fine and imprisonment—one of them \$300 fine?

"A.—I don't think he put those 'ifs' in. I think he said they were improperly tried, and by a usurpation of power.

"Mr. Vallandigham.—Strike out the 'ifs' then.

"Witness.—That was substantially what he said.

"Q.—Did I not also say in that connection that the rebel officer who was tried as a spy by the military court at Cincinnati was legally and properly tried, according to the rules and articles; tried and convicted—that that was a clear case, where the Court had jurisdiction?

"A.—It is my recollection that he denounced the Court as an unlawful tribunal, and did not make the distinction.

"Question by Judge Advocate.—Did he refer to the case of Campbell, the rebel spy, and make any distinction?

"A.—No. He denounced the Court first and then gave the instances, which I have already related in my direct testimony.

"Question by Mr. Vallandigham.—Do you not remember my speaking of the Campbell case, and saying that he was properly tried?

"A.—He may, but I do not recollect it. He probably did refer to the Campbell case.

"Q.—May I not have made the distinction and you not have heard it?



"The Judge Advocate said he would admit that the accused did draw the distinction between the cases, and that he admitted the right of the Court to try the spy. In other words, that he condemned the trial of the Butler County man, and approved the case of the spy who was tried and convicted.

"Q.—Did I not distinctly in the conclusion of the speech enjoin upon the people to stand by the Union at all events, and that if war failed, not to give the Union up, but to try by peaceable means, by compromise, to restore it as our fathers made it; and that though others might consent or be forced to consent, I would not myself be one of those who would take any part in agreeing to a dissolution of the Union?

"A.—Yes. He said that he and the peace men were the only ones who wished the restoration of the Union.

"Q.—Did not one of the banners you refer to as decorated with butternuts bear the inscription, 'The Constitution as it is, and the Union as it was'?

"A.—The banners were numerous. One of them, I believe, did bear that inscription.

"Q.—Do you mean to be understood to say that he heard the reference to Jeff. Davis in the crowd, or gave any assent to it whatever?

"A.—I cannot say that he did. Did not see or hear him give any assent to it. There were many other remarks of that character uttered.

"Q.—What was the size of the crowd assembled there?

"A.—I do not know the proper estimate, but the crowd was very large.

"The Court then adjourned to Thursday morning at ten o'clock.

#### "SECOND DAY

"The Court met at ten o'clock A. M. Present as before. Yesterday's proceedings and testimony were read and approved, and were signed by the President.

"Captain Hill was again called to the stand, and his cross-examination was resumed by Mr. Vallandigham.

"*Question by Mr. Vallandigham.*—In speaking of the character of the war, did I not expressly say, 'As Mr. Lincoln in his proclamation of July 1, 1862, said, "this unnecessary and injurious war"?'"

*Answer.*—I don't recollect that he did. The language made use of I understood to be his own.

*Mr. Vallandigham.*—Of course I could not put the quotation marks in my speech.

*Q.*—Again, in speaking of the character of the war, did I not expressly give as proof, the President's proclamation of Sept. 22, 1862, and Jan. 1, 1863, as declaring the emancipation of the slaves in the seceded States, and as proof that the war was now being waged for that purpose?

"The witness was about to answer when the Judge Advocate checked him. He said it was bringing up matters which were foreign to the charge and specification, and that the Court was not called upon to pass upon the merits of the President's proclamation. He then desired that the Court should be closed for deliberation.

*Mr. Vallandigham.*—I desire to show this fact, in explanation of the purpose and object of my declaration as to the present character of the war, and as my authority for the statement; for I assume that the President is not disloyal.

"The Judge Advocate insisted that the question required the Court to pass judgment upon the merits of the President's proclamation, and not whether he (Mr. Vallandigham) was expressing his own sentiments or those of the President.

"After the Commission had deliberated, the Judge Advocate said the question would not be admitted.

*Q.*—Did you continue in the same place during the delivery of the whole speech?

*A.*—I did.

*Q.*—Were your notes taken at the time, or reduced to writing after the speech was delivered?

*A.*—They were taken at the time, just as they fell from the speaker's lips.

*Q.*—Were you not in citizen's clothes, and how came you to be at Mount Vernon that day? Did you go to Mount Vernon for the purpose of taking notes and reporting the speech?

*Judge Advocate.*—I object to this question on the ground of its immateriality.

"Mr. Vallandigham insisted on the question on the ground that it explained the temper and spirit of the witness, and his prejudices, and as showing that the notes were taken with ref-

erence to the arrest and prosecution before this Commission, he being a captain in the service, and his regiment in Cincinnati.

"The question was objected to by the Judge Advocate, and the Court was cleared for deliberation.

"On opening the doors again the Judge Advocate answered that the question would be allowed.

"A.—I was in citizen's clothes, and went for the purpose of listening to any speeches that might be made that day. I had no orders to take notes.

"Q.—Did you take notes of any other speech?

"A.—I commenced taking notes of Mr. Cox's speech, but considered it harmless, and after a short time stopped.

"Q.—Were you not expressly sent for the purpose of listening to my speech on that occasion?

"A.—I was not, any more than to the others.

"Q.—By whom were you sent?

"A.—By Captain Andrew C. Kemper, Assistant Adjutant General of the military command of this city.

"Q.—Did you make a report to him upon your return?

"A.—I didn't report to Captain Kemper, but to Colonel Eastman, and was from there sent to the headquarters of the Department of the Ohio.

"This closed the testimony of Captain Hill on both the direct and cross-examination.

"Captain John A. Means, One Hundred and Fifteenth Ohio Volunteer Infantry, was sworn.

"TESTIMONY OF CAPTAIN JOHN A. MEANS.

"*Question by the Judge Advocate.*—What is your rank and regiment?

"A.—Captain in the One Hundred and Fifteenth O. V. I.

"Q.—Were you present at the meeting of citizens at Mount Vernon, Ohio, on Friday, May 1, 1863?

"A.—I was.

"Q.—Did you hear the accused address that meeting?

"A.—I did. I stood most of the time about ten feet immediately in front of the stand and heard the whole of the speech. He said that the war was not carried on for the preservation of the Union; that it might have been stopped and peace restored some time ago and the Union saved, if the plan which

had been submitted had been accepted by the Government the day before the battle of Fredericksburg.

"Mr. Vallandigham objected to anything on this last point on the ground that he had applied for a subpoena for Fernando Wood, of New York, to bring with him the plan proposed, and had been refused.

"The Judge Advocate replied that this point might be waived, and he would strike from the specifications what related to the proposed plan of restoring the Union.

"The witness continued: That if the plan had been adopted, peace would have been restored, the Union saved by reconstruction, the North won back and guaranteed in her rights. That our armies didn't meet with success; that Richmond was not taken, Charleston, nor Vicksburg; that the Mississippi was not open, and would not be as long as there was cotton to sell or contractors to reward. He spoke in regard to the rebuke of the Administration at the last fall election; that no more volunteers could be had; that the Administration had to resort to the French conscription act; that he would not counsel resistance to the military or civil law, for that was not needed. That a people were unworthy to be freemen who would submit to such encroachments on their liberties.

"*Mr. Vallandigham.*—What was I referring to when I made the remark you say I did?

"*A.*—He was speaking of the conscription act. He said he believed the Administration was attempting to erect a despotism; that in less than one month Lincoln had plunged the country into this cruel, bloody, and unnecessary war.

"*Q.*—Can you recall anything he said in relation to General Order No. 38?

"*A.*—He said the General Order No. 38 was a usurpation of power; that he despised it, spat upon it, trampled it under his feet; that he, for one, would not regard it. He styled the Administration officers, and officers of the army, as minions of the Administration. He said he did not ask General Ambrose Burnside whether he might speak there or not; that he was a freeman, and spoke when and where he pleased.

"*Q.*—Do you remember anything he said with reference to the course he advised the people to pursue?

"*A.*—He said these proclamations and military orders were intended to intimidate the people, and prevent them from

mingling together as they were doing that day ; that he claimed the right to discuss and criticise the actions of the civil and military officers of the Government.

“ Q.—Did he advise the people to take any steps ?

“ A.—He advised them, at the close of his speech, to come up together at the ballot-box, and hurl the tyrant from his throne. He styled the President at another time as ‘King Lincoln.’

“ CROSS-EXAMINATION.

“ Q.—By Mr. Vallandigham: Did you take any notes during the delivery of the speech, or are you testifying from memory ?

“ A.—I took no minutes during the delivery of the speech ; but after Mr. Pendleton began speaking I went to the hotel, perhaps an hour and a half afterwards, and wrote some minutes of the speech.

“ Q.—You speak of my saying that ‘the North might have been won back ;’ was it not the South might have been won back ?

“ A.—No ; I noticed that particularly, and it struck me very forcibly.

“ [Mr. Vallandigham.—If I said it, it must have been a slip of the tongue.]

“ Q.—You say that I said I would not counsel resistance to military or civil law. Did I not expressly counsel the people to obey the Constitution and all law, and to pay proper respect to men in authority, and to maintain their political rights through the ballot-box, and redress personal wrongs through the judicial tribunals of the country, and in that way to rebuke and put down the Administration and all usurpations of power ?

“ A.—Not in that connection. He said, at the last of his speech, to come up to the ballot-box and hurl the tyrant from his throne.

“ Q.—Did he not counsel them to submit to all laws ?

“ A.—No, Sir ; I didn’t understand him to counsel the people to submit to the authorities at all times. I can’t remember that he used the language of the question, or the substance of it as stated.

“ Q.— Did I not say that my authority to speak to the

people in public assemblages, on all public questions, was not derived from General Order No. 38, but General Order No. 1, the Constitution of the United States, General Washington commanding?

"A.—I understood him to say that his authority to speak to the people was higher than General Order No. 38 of that mobbing despot, General Burnside; it was Order No. 1, signed by George Washington.

"Q.—Were not the three names of Tod, Lincoln, and Burnside used together, and that I didn't ask their consent to speak?

"A.—At another time he used these words.

"Q.—Were not the remarks you say I made about despising, spitting upon, and trampling under foot, expressly applied in reference to arbitrary power generally; and did I not in that connection refer to General Order No. 9, in Indiana, signed by General Haskall, denying the right to criticise the war policy of the Administration?

"A.—The remarks in regard to despising, spitting upon, trampling under foot, were made in direct reference to Order No. 38. He some time afterwards, in speaking of the Administration, said that an order had been issued in Indiana denying the people the right to criticise the military policy of the Administration, and if submitted to it would be followed by civil war in Ohio.

"Q.—Do you undertake to give any connected or methodical statement of the speech on that occasion?

"*Judge Advocate.*—The Court can judge as to that point; but he may answer.

"A.—I do not pretend to give the speech commencing with the first and giving it just as he spoke it.

"Mr. Vallandigham then asked the same questions as he asked the former witness, with reference to the way in which he went to the meeting, and in addition, whether he went there to report the speech for the purpose of a prosecution under General Order No. 38.

"A.—I did not.

"Q.—Were any reasons given you why you should go there to report the speech?

"The Judge Advocate objected to such questions, for the reason that they were evidently intended for some other purpose than to subserve the ends of justice in the trial.

"Q.—I will put the question in this way, then: Was any object stated to you, and if so, what?

"A.—There was no object stated.

"The Judge Advocate here rested his evidence.

"Mr. Vallandigham asked a recess of fifteen minutes, for the purpose of consultation with his lawyers, at the close of which he proceeded with the testimony on his behalf.

"TESTIMONY OF HON. S. S. COX.

"Q.—*By Mr. Vallandigham.*—Were you present at the public meeting in Mount Vernon on Friday, May 1, 1863?

"A.—I was present as one of the speakers; I heard the whole speech; I stood on the platform near him, so that I could not fail to hear all that he said; I had not heard him speak since the adjournment of Congress, and, as I came in from the West, I did not know he was there; I took especial interest in listening to his speech throughout; and having to follow him, I naturally noticed the topics which he discussed.

"Q.—Did you hear his allusions to General Burnside, and, if so, what were they?

"A.—The only allusion that he made to the General was, I think, in the beginning of his speech, in which he said that he was not there by the favor of Abraham Lincoln, David Tod, or General Ambrose E. Burnside.

"Q.—Was any epithet applied to him during the speech?

"A.—No, Sir. If there had been, I should have noticed it, because General Burnside was an old personal friend of mine. I should have remembered any odious epithet applied to him.

"Q.—Did you hear the reference to General Order 38, and if so, what were the words?

"A.—The only reference that was made to that order was something to this effect: that he didn't recognise—I don't know that I can quote the language—Order No. 38 as superior to Order No. 1, the Constitution, from George Washington, commanding; I don't know as this is the language; I thought it a very handsome point at the time.

"Q.—Were any violent epithets, such as 'spit upon,' 'trample under foot,' and the like, used at any time in the speech in reference to that Order 38.

"A.—I can't recollect any denunciatory epithets applied to that order. If there was any criticism made upon it, it was mentioned above, in the remark about the Constitution. Mr. Vallandigham discussed these matters very briefly. He took up most of his time on another point, in connection with the question of closing the war by separation. He charged that the men in authority were willing to make a peace by separation. He exhausted some time in reading proofs from Montgomery Blair, and from Forney; and also stated that there were private proofs yet to be developed, and which time would disclose, proving his statement. He bitterly denounced any attempt to make peace by a separation of the States.

"Q.—Do you remember to what, if at all, in connection with future usurpations of power, he applied his strongest language?

"A.—I can't say as to the strongest language, for he always speaks pretty strongly. He denounced any usurpation of power to stop public discussion and the suffrage. He appealed to the people to protect their rights as the remedy for their grievances. He warned against violence and revolutions. By the powerful means of the ballot-box all might be remedied that was wrong of a public nature, and the courts would remedy all grievances of a private personal nature.

"Q.—Was anything said by him at all looking to forcible resistance of either law or military orders?

"A.—Not as I understood it.

"Q.—Was anything said by him in denunciation of the conscription law?

"A.—My best recollection is that he didn't say a word about it.

"Q.—Did he refer to the French conscription bill?

"A.—He did not. I spoke of it myself.

"The Judge Advocate objected to what Mr. Cox had said, as not being competent evidence.

"Mr. Cox desired to say to the Court, in explanation of what he said about the Conscription law, that he had just before the meeting been talking with Judge Bartley about our Conscription law having been copied from the French law, and I merely referred to that in my speech.

"Q.—By Mr. Vallandigham.—Do you remember my quoting from President Lincoln's proclamation of July 1, 1862, the words 'unnecessary and injurious war'?



"A.—I do not. He may have done so, but I did not hear it.

"Q.—*By Mr. Vallandigham.*—Did you hear similar language used by me?

"A.—I cannot recollect it.

"Q.—Do you remember his comments on the change of the policy in the war?

"A.—He did refer to the change in the policy of the war, and devoted some time to showing that it was now carried on for the abolition of slavery; that it had been perverted from a war for the preservation of the Union to one for the abolition of slavery. He referred to the Crittenden resolution to show that the war was originally for the restoration of the Union.

"Q.—*By Mr. Vallandigham.*—Did I counsel any other mode in that speech of resisting usurpations of arbitrary power, except by free discussion and the ballot-box?

"A.—He did not.

"*Mr. Vallandigham.*—As I understand that portion of the specification which relates to the proposition from Richmond has been stricken out, I will ask no questions about it.

"Q.—Was any denunciation of officers in the army indulged in by him, or any offensive epithets applied to them?

"A.—When, occasionally, he used the words, 'the President and his minions,' I didn't understand him to use them as applicable to the army. I think it was in connection with arbitrary arrests when he used these words.

"Q.—Was it not in connection with army contractors and speculators?

"The Judge Advocate objected to the question, and said the witness had distinctly stated that he did not think Mr. Vallandigham had applied it to the officers of the army.

"Q.—Do I understand you to say that the denunciations to which you refer were chiefly in reference to arbitrary arrests?

"A.—My recollection is that that was the connection in which it was used. He used strong epithets towards spies and informers, and did not seem to like them very much.

"*Mr. Vallandigham.*—As the Court has admitted that I did make a distinction between the Butler County case and the Kentucky spy, I will not refer to it now.

"Q.—Do you remember the connection in which words to this effect were used at the close of the speech: 'in regard to

the possibility of a dissolution of the Union' and of his own determination in regard to such a contingency, 'and his declining to act as a priest'?

"A.—I cannot give the exact words, but I remember the metaphor, 'that he would not be a priest to minister at the altar of disunion.' It was as he wound up his speech. He was speaking about disunion, and his attachment to the Union.

"Q.—What counsel did he give the people on the subject of the Union at the close of his speech?

"A.—He invoked them under no circumstances to surrender the Union. I think he said something about leaving it to our posterity.

"Q.—Do you remember his rebuke of arbitrary court-martials, and was it in connection with the Butler County case?

"A.—Yes; I so understood it.

"Q.—What was the general character of his remarks on that subject?

"A.—He denounced the applause of Jefferson Davis by that party, and said there was a mode by which this man could be tried.

"Mr. Vallandigham asked whether the rebuke had not reference to and was spoken in connection with the Butler County case? He desired a distinct answer to this.

"Mr. Cox.—He was speaking of the Butler County case, and he pointed out a mode by which such a man could be tried.

"Q.—Was anything said in his speech in reference to the war except in condemnation of what he claimed to be the policy upon which it is now being waged, and as a policy which he insisted could not restore the Union, but must end finally in disunion?

"A.—I can only give my understanding. I do not know what inference other people might draw from it. I understood his condemnation of the war to be launched at the perversion of its original purpose.

"Mr. Vallandigham.—I do not remember anything further just now. I have some other witnesses whom I desire to examine on this same point who are not yet here.

"Judge Advocate.—I have no questions to put to the witness,

"*To Mr. Vallandigham.*—Has not this witness sufficiently developed the purpose and spirit of your speech?

"*Mr. Vallandigham.*—I have called but one witness, and I understand the Court has several more to corroborate what their first witness has testified.

"*Judge Advocate.*—The Court will not be influenced by the number of witnesses. The number had nothing to do with the case.

"*Mr. Vallandigham.*—I did not counsel any resistance in my speech, and there were three witnesses on the stand, one of whom was the presiding officer, and one a reporter, who is accustomed to reporting speeches, though he did not report on that occasion, whom I have telegraphed for, and expect here at 4 P. M.

"The Judge Advocate suggested that Mr. Pendleton, who was now present, was at the meeting at Mount Vernon, and that he might be called to the stand.

"*Mr. Vallandigham.*—Mr. Pendleton has been engaged in this case, and I would prefer not to call him, as I have other witnesses. I also desire to show that the criticisms in my speech were not in reference to General Order No. 38.

"*Judge Advocate.*—The witness has just said so.

"*Mr. Vallandigham.*—If the Court will admit that, then I will not call other witnesses.

"*Judge Advocate.*—I will admit that the language might not have been used, especially towards General Order No. 38; but it has been proved that such language was used in the Mount Vernon speech in reference to military orders.

"*Mr. Vallandigham.*—I want to prove that it was not used in relation to General Order No. 38.

"*Judge Advocate.*—I will admit that the language was not used in regard to General Order No. 38, but generally to military orders.

"Mr. Vallandigham said he desired time to prepare a defence covering this testimony, and would, according to the rules governing courts-martial, submit it in writing.

"The Judge Advocate said he might cover one hundred or two hundred pages of foolscap in reviewing the case, and this would take time. He [the Judge Advocate] did not propose to say anything on the evidence, but would leave it with the Court. Mr. Vallandigham might say what he desired in

defence verbally, and it could be reported in short-hand, and thus save time.

"Mr. Vallandigham preferred to have the record correct, as it would have to go before another tribunal.

"The Court then took a recess to half-past four o'clock.

"The Court reconvened at five P. M.

"The Judge Advocate stated that the witnesses for the accused, who were expected—namely: Leckey Harper, J. T. Irvine, and Frank H. Hurd—had not arrived, and that he had agreed with the accused to admit, as it would avoid a continuance, that if they were present and under oath they would testify substantially the same as Mr. Cox had done.

"Thereupon Mr. Vallandigham said he had no more testimony to offer, and the case closed.

"The Judge Advocate now announced that the testimony was all in.

"At the request of Mr. Vallandigham, the testimony of Mr. Cox was read over.

"*Mr. Vallandigham.*—Gentlemen of the Court, very briefly and respectfully I offer the following protest:

#### "MR. VALLANDIGHAM'S PROTEST.

"Arrested without process of law, without warrant from any judicial officer, and now in military custody, I have been served with a charge and specifications as from a court-martial or military commission. I am not in either the land or the naval service of the United States, and therefore am not triable for any cause by such court, but am subject, by the express terms of the Constitution, to arrest only by due process of law, or warrant issued by some officer of a court of competent jurisdiction for trial of citizens. I am subject to indictment and trial on presentation of a grand jury, and am entitled to a speedy trial, to be confronted with witnesses and to compulsory process for witnesses in my behalf, and am entitled to counsel. All these I demand, as my right as a citizen of the United States. But the alleged offence itself is not known to the Constitution, nor to any law thereof. It is words spoken to the people of Ohio in an open public political meeting, lawfully and peacefully assembled, under the Constitution, and upon full notice.

“It is words of criticism of the public policy, of the public servants of the people, by which policy it was alleged that the welfare of the country was not promoted. It was an appeal to the people to change that policy, not by force but by free elections and the ballot-box. It is not pretended that I counselled disobedience to the Constitution or resistance to law or lawful authority. I never have. I have nothing further to submit.

(Signed)

C. L. VALLANDIGHAM.

May 7.

“*Judge Advocate.*—I find nothing in the defence of the accused to call for remark, except that in regard to counsel and summoning of witnesses. He was permitted to have, and did have counsel to consult with, and an opportunity was offered him to send for witnesses.

“The Court was then cleared for deliberation, and after a session of three hours, their decision was made and submitted to General Burnside for his approval.

#### “FINDING AND SENTENCE.

“The Commission, after mature deliberation on the evidence adduced and the statement of the accused, find the accused, Clement L. Vallandigham, a citizen of the State of Ohio, as follows:

“Of the specifications (except the words, ‘That propositions by which the Northern States could be won back, and the South guaranteed their rights under the Constitution, had been rejected the day before the battle of Fredericksburg, by Lincoln and his minions,’ meaning thereby the President of the United States, and those under him in authority, and the words ‘asserting that he firmly believed, as he asserted six months ago, that the men in power are attempting to establish a despotism in this country, more cruel and more oppressive than ever existed before,’)—‘Guilty.’

“And as to these words, ‘Not Guilty.’

“Of the charge, ‘Guilty.’

“And the Commission do therefore sentence him, the said Clement L. Vallandigham, a citizen of the State of Ohio, to be placed in close confinement in some fortress of the United States, to be designated by the commanding officer of this Department, there to be kept during the continuance of the war.

"II. The proceedings, finding, and sentence in the foregoing case are approved and confirmed, and it is directed that the place of confinement of the prisoner, Clement L. Vallandigham, in accordance with said sentence, be Fort Warren, Boston Harbor.

"By command of Major-General Burnside,

"LEWIS RICHMOND,  
"Ass't. Adj.-General."

And now a few words in reference to the character of this Military Commission by which Mr. Vallandigham was tried. One only of the members was a citizen of Ohio; one was an unnaturalised foreign adventurer; another had been convicted of being the keeper of a disreputable house, while the Judge Advocate subsequently pleaded guilty to certain "nimble caperings" at the transom-light of a lady's bed-chamber in the Burnett House. They had been fitly selected for their work, and they did it accordingly.

The result of the trial was not made public for some days; and in the meantime Mr. V. was imprisoned in a room in the attic of the Burnett House, where he wrote the following letter to his wife:—

"IN BASTILE,"

No. 246 Burnett House, Cincinnati, O., May 14, '63.

"*My Very, Very Dear, Dear Wife:—*

"I am still here, 'awaiting orders,' in military phrase; but as calm and unmoved as ever. My only concern is about you and my dear, dear little man—not forgetting indeed any of my household. But I depend on you to be self-possessed and patient, no matter what may happen to me. Be assured that we shall meet again; and further, that we shall see days of prosperity, happiness, and exaltation by-and-by; and you and my dear boy will live to share and enjoy them with me. You have read all this in Scripture, in history, in fiction. True, you did not dream of seeing it in my person or realising it in your

own; but it has turned out to be your destiny. Bear it all like a woman — a heroine. Take care of my dear, dear boy till I return. All goes well for the cause. The whole Democratic and Conservative press is speaking out majestically, and the leading Abolition presses are becoming dumb. Pendleton and McLean still are with me most of the time. Other gentlemen also call every day. I enclose you Gen. E. S. Haines' card which he sent me this afternoon. In a day or two at most the result of the case will be made known. If Judge Leavitt be honest and firm, he can save much trouble all around; but I doubt him much. No matter what disposition is made of me, my plans are all settled to meet each alternative: so be calm and wait. Pendleton telegraphed you this afternoon that the absurd Tortugas story was denied by authority. But I was prepared even for that. Remember me to all friends — enemies I will remember myself. Do not worry yourself in the least, or for one moment, about what they may say now. Your time *will* come. Meantime, and till I return, friends will take care of you.

“Let my dear little boy go on with his studies, and teach him Latin soon. Tell him to be a very good boy and be kind and obedient to you and his aunt. My love to M——, M——, E——, E——, and to Ellen Bell. Many, many kisses for yourself and Charlie.

“Most affectionately,  
“YOUR HUSBAND.”

Two days after the trial before the Military Commission, the Hon. Geo. E. Pugh, on behalf of Mr. Vallandigham, moved for a writ of *habeas corpus* before Humphrey H. Leavitt, Judge of the United States Court for the Southern District of Ohio. No suspension of the privilege of the writ had at that time been declared under the Act of Congress, and the pretence of a Presidential right to suspend it had been exploded. Judge Leavitt required that notice of the application should be first given to Burnside, who submitted an extraordinary paper justifying the act, and claiming a constitutional and legal right to commit it,

as military commandant of the Department of the Ohio, which he chose to regard as a vast camp, every citizen within its limits being subject to military law. The case was opened on the 11th by Mr. Pugh, in an argument of great ability and consummate eloquence. He was replied to on behalf of Burnside by two members of the Cincinnati bar, in elaborate speeches, appropriated and modernised from the Crown lawyers of the reign of Charles I. and James II. Mr. Pugh rejoined in an argument of even greater ability than his first; and Judge Leavitt, after two or three days' consideration, and upon consultation with Burnside, refused the writ upon the grounds, first, that the arrest was legal; and second, that though it had been illegal, it was "morally certain that the writ would not be obeyed," and therefore ought not to be issued. Not since the days of Empson, Dudley, or Jeffreys, had such judicial servility to executive power been exhibited. Never, except upon the trial of John Hampden, in the ship-money case, was a like opinion pronounced from the bench. Let a single sentence suffice: "The sole question," says this most righteous judge, "is whether the arrest was legal; and as before remarked, *its legality depends on the necessity which existed for making it*, and of that necessity, for the reason stated, this Court cannot judicially determine." And yet this monstrous doctrine is among the most moderate utterances of the opinion. The twelve judges of the First Charles were not more complaisant. "There is a rule of law," said one of them, "and a rule of government; and many things which may not be done by the rule of law, may be done by the rule of government;" and they all agreed that "when the good and safety of the kingdom in general is concerned, and the whole kingdom in danger, the king is the sole judge both



of the danger, and when and how the same is to be prevented and avoided." The English judges held their offices during the pleasure of their master the king; the American judge held his for life, and under a written Constitution which expressly declared that no citizen should be arrested "except upon due process of law."

Two days after the refusal of the *habeas corpus*, the sentence of the Military Commission and the approval of it by Burnside were made public. According to this sentence, as we have already seen, Mr. Vallandigham was condemned to close confinement in Fort Warren, Boston harbor, during the war. Imprisonment on the Dry Tortugas Islands had at first been contemplated; and many believed that sentence of death had been Burnside's original purpose, from which he was deterred only by the violence of the popular indignation which the arrest had excited. Whether this be true or not, he certainly insisted to a distinguished gentleman of Cincinnati that he might justly put Mr. Vallandigham to death for a speech delivered by him at Batavia in the previous April.

The violent arrest, illegal trial, and unjust conviction and sentence of Mr. Vallandigham created intense excitement throughout the country. The Democratic press denounced the outrage in unmeasured terms, and very few even of the Republican papers attempted to justify it—with a few exceptions they expressed disapproval. Large meetings were held in various places, and resolutions were adopted and speeches made expressive of the strongest disapprobation. These evidences that the spirit of liberty was not wholly extinct in the land, these redeeming features in those dark days of despotism, we would like to extensively publish, but our lim-

ited space will not permit. A few of them, however, we here place on record.

On Saturday, the 16th of May, a meeting was held in Albany, New York, an account of which we take from the *Atlas and Argus*:—

“One of the largest and most respectable meetings ever held at the Capitol convened in the Park on Saturday night for the purpose of protesting against the arrest, by order of General Burnside, of Hon. Clement L. Vallandigham. By 8 o'clock the broad walk leading to the steps of the Capitol and the adjacent grounds were densely packed with citizens, and soon after the meeting was called to order by Henry S. Crandell, Esq., on whose nomination Hon. Erastus Corning was chosen President, who was assisted by a large number of Vice-Presidents and Secretaries.

“The meeting was one of the most enthusiastic and spirited, the most determined in purpose of any ever held in the city of Albany. It was a meeting of freemen in defence of the Constitution. It was composed of the intellect, the patriotism and the vigor of the city. The list of officers embraces the most valued names in our city, and are a guarantee of the character of the assemblage and of its interest in the cause of law and of order.

“The proceedings of the meeting speak for themselves. We point to the letter of Gov. Seymour with especial gratification. It rings with the spirit of patriotism and of republican vigor. It is to such utterances that we must look for the upholding of liberty and the restoration of the Constitution.

“The speeches of Judge Parker and Hon. Francis Kernan are in the same strain, thoughtful and impressive. The closing speech of Mr. Murphy, of Erie, was eloquent and animated.

“The resolutions, it will be seen, are strikingly moderate in expression, and reserved in all their allusions to the circumstances which called the meeting together—the arrest of Vallandigham. We respect the man in his misfortune; but it was not so much him as the cause of personal liberty and constitutional law which was endangered in his person, that enlisted the sympathies and the interest of this meeting. The resolutions refer to the services of the Democracy to the cause of the nation in

this crisis, and demand that the Administration shall be true to the Constitution. They demand that it shall reverse the action of the military tribunal, which has assumed to try a citizen for the offence of free speech, and they direct that copies of the resolutions be sent to the President.

"It was a glorious meeting. Its numbers, its spirit, and its moderation angered the few Republicans in the city, who attempted to disturb it by disorder. The Democrats disposed of the disturbance and the disturbers with a strong hand and in a summary way, and then went on calmly with their proceedings.

"The meeting will be a historical one in the annals of the Democratic party.

"Peter Caggar, Esq., stated that among the distinguished gentlemen invited to address the meeting was his Excellency Governor Seymour. Unfortunately, his Excellency could not attend, but he had sent a letter, which he (Mr. C.) would read. The following is the letter which, during its reading, was frequently applauded in the heartiest manner :

STATE OF NEW YORK,

EXECUTIVE DEPARTMENT, ALBANY, May 16, 1863.

"I cannot attend the meeting at the Capitol this evening, but I wish to state my opinion in regard to the arrest of Mr. Vallandigham.

"It is an act which has brought dishonor upon our country ; it is full of danger to our persons and to our homes ; it bears upon its front a conscious violation of law and of justice. Acting upon the evidence of detailed informers, shrinking from the light of day, in the darkness of night, armed men violated the home of an American citizen, and furtively bore him away to a military trial conducted without those safeguards known in the proceedings of our judicial tribunals.

"The transaction involved a series of offences against our most sacred rights. It interfered with the freedom of speech ; it violated our rights to be secure in our homes against unreasonable searches and seizures ; it pronounced sentence without a trial save one which was a mockery which insulted as well as wronged. The perpetrators now seek to impose punishment, not for an offence against law, but for a disregard of an invalid order, put forth in an utter disregard of the principles of civil liberty. If this proceeding is approved by the Government

and sanctioned by the people, it is not merely a step towards revolution, it is revolution; it will not only lead to military despotism, it establishes military despotism. In this aspect it must be accepted, or in this aspect it must be rejected.

"If it is upheld, our liberties are overthrown. The safety of our persons, the security of our property, will hereafter depend upon the arbitrary wills of such military rulers as may be placed over us, while our constitutional guaranties will be broken down. Even now the Governors and the courts of some of the great Western States have sunk into insignificance before the despotic powers claimed and exercised by military men who have been sent into their borders. It is a fearful thing to increase the danger which now overhangs us by treating the law, the judiciary, and the authorities of States with contempt. The people of this country now await with the deepest anxiety the decision of the Administration upon these acts. Having given it a generous support in the conduct of the war, we now pause to see what kind of government it is for which we are asked to pour out our blood and our treasures.

"The action of the Administration will determine in the minds of more than one-half of the people of the loyal States, whether this war is waged to put down rebellion at the South, or to destroy free institutions at the North. We look for its decision with the most solemn solicitude.

"HORATIO SEYMOUR.

"To Peter Caggar, Solomon F. Higgins, Erastus Corning, Jr., Committee.

The Hon. John V. L. Pruyn offered a series of resolutions, which were unanimously adopted, and able and eloquent speeches were delivered by Judge Parker, Hon. Francis Kernan, and Hon. John Murphy.

[From the *New York World*, May 19th.]

"GREAT MASS MEETING IN NEW YORK.

"VINDICATION OF LAW, FREE SPEECH, AND CONSTITUTIONAL

"GUARANTEE.

"The great mass meeting last evening at Union Square in behalf of free speech, a free press, and personal rights, and

having special reference to the vindication of these as violated in the arrest of Mr. Vallandigham, proved a magnificent success both in numbers and enthusiasm. The arrangements were under the auspices of the Democratic Union Association, and though necessarily made somewhat hurriedly, owing to the urgency of immediate action, were most excellent.

"It was estimated by the most candid persons, experienced in the measurement of audiences, that there were present between twenty-five and thirty thousand people. Four stands were erected—one in front of the monument of Washington, one facing it, one on the south side of Fourteenth street, and a fourth in front of Dr. Cheever's church. One of these was devoted entirely to German speakers. All the stands were surrounded by a perfect mass of human beings packed in the closest space, and extending as far out as the voice of the loudest speaker could reach. The stands were hung with American flags, and were furnished with several well-arranged lamps each, which shed sufficient light to render the stands entirely conspicuous, and in addition to these, Drummond lights were placed in different locations, lighting up the whole scene around.

"The meeting was quietly collecting on the east side of the square at half-past seven. The German Legion pressed up from the east side of the town and packed closely around the stands, and at a quarter to eight they began to call for the lights and music. Their numbers were at the end not less than eight thousand.

"At stand No. 1 there was collected about an equal number. A still larger and more dense crowd collected around the stand in front of the Maison Doree, while stand No. 4 in front of Springler Hotel was the last to light up, and massed about four thousand.

"Besides the people collected at the stands, there were hundreds of others who could find no place to listen at these regular places, and for that reason there were as many as a dozen extemporised platforms about the sides of the square on wagons or stoops, from which speakers of various calibre spoke to audiences of two or three hundred. At one place there was an eloquent young man in soldier's uniform, telling a simple and evidently truthful story, not as gleaned from newspapers, but from his own experience of the campaign of the Army of the

Potomac under McClellan, and expressing a patriotic regret that the army now was not under the leadership in which the soldiers had the confidence that they had been wont to feel for their own commander. Occasionally there passed by a surly loyalist who, shutting his eyes to the fact that the movement, whether right or wrong, was at least tremendously formidable, would express the regret as one was heard to do, that New York was not yet sufficiently under martial law to prevent such demonstrations of the people.

“The following resolutions were enthusiastically and unanimously adopted:

“WHEREAS, Within a State where the courts of law are open and their process unimpeded, soldiers under the command of officers of the United States army have broken into the residence and forcibly abducted from his home the Hon. Clement L. Vallandigham; and

“WHEREAS, A body of men styled a military commission have arraigned before them and tried the said Hon. C. L. Vallandigham, a civilian and eminent public man, for words spoken in the discussion of public questions before an assemblage of his fellow-citizens; and

“WHEREAS, The said military commission have sentenced him to a punishment as yet unknown, but which is to be announced in some military order to be promulgated hereafter; therefore

“*Resolved*, That we, the citizens of the city of New York here assembled, denounce the arrest of Hon. Clement L. Vallandigham and his trial and sentence by a military commission as a startling outrage upon the hitherto sacred rights of American citizenship.

“*Resolved*, That the exigencies of civil war require the fullest and freest discussion of public questions by the American people, to the end that their temporary public servants may not forget that they are the creatures of the public will and must respect the obligations and duties imposed upon them by the Constitution of their country, which is the authentic, solemn expression of that will; and that whenever upon the orders of military commanders and from fear of their spies and informers, American citizens not in the military service shall fail to approve or disapprove measures of public policy, to denounce or applaud the commander-in-chief, and to advocate peace or

war as their judgments may dictate, they have ceased to be freemen and have already become slaves.

*“Resolved, That we reverently cherish that great body of constitutions, laws, precedents and traditions which constitute us a free people, and that we hold those who designedly and persistently violate them as public enemies.*

*“Resolved, That we are devotedly attached to the Union of these States, and can see nothing but calamity and weakness in its disruption, and shall continue to advocate whatever policy we believe will result in the restoration of that Union.*

*“Resolved, That at a time when our fellow-citizens are falling by thousands upon the battle-field, and human carnage has become familiar, we implore the Federal authorities not to adopt the fatal error that the system of imprisonment and terrorism will subjugate the minds and stifle the voice of the American people.”*

The crowds at the various stands were addressed by Hon. E. P. Norton, J. A. McMaster, Esq., Judge McCunn, Hon. W. B. Rankin, John Mullaly, Esq., Dr. Merkle, Mr. Daniel Burdsall, Prof. Mason, and many others. We regret exceedingly that we have not space for copious extracts from their able and eloquent speeches.

The following account of the great meeting in Philadelphia is from the *Age* of June 2d:—

*“Yesterday evening one of the largest and most enthusiastic political meetings which has ever been held in this city, made old Independence Square ring with its cheers for that Constitution and Union which were first planned and formed upon the very spot upon which stood the vast and swaying multitude. Towards dusk the various delegations from the Democratic clubs, organised throughout the city, began to make their appearance, and continued to arrive in constantly accumulating numbers until at last the whole space of the large square was covered with a great and eager crowd.”*

The Hon. Ellis Lewis, ex-Chief-Justice of the Supreme Court of Pennsylvania, was called to the chair, and a large number of Vice-Presidents and Secretaries were appointed.

Resolutions similar in spirit to those passed at the New York meeting were unanimously adopted. Speeches, bold, able and eloquent, were then made by ex-Chief-Justice Lewis, ex-Gov. Wm. Bigler, Hon. Charles J. Biddle, Hon. Peter McCall, George. W. Biddle, Esq., George Northrop, Esq., Charles Ingersoll, Esq., and others.

After the reading of letters from Hon. G. M. Wharton, Hon. Richard Vaux, and others, the meeting adjourned.

“Thus quietly and pleasantly ended one of the greatest political demonstrations that Philadelphia has ever known. In spite of all the predictions to the contrary, the whole affair passed off as peaceably and as orderly as even the most law-abiding of citizens could wish. Indeed, but few meetings have ever been held which have been characterised by so thorough a disposition for order and deliberation.”

The expression of public opinion through these meetings and by the press in every part of the country produced a powerful effect. It had been Burnside's intention to arrest all the chief Democratic leaders of the Northwest, and in some cases the orders had been made out. In alarm he was now obliged to pause. His attempt soon after to suppress the *Chicago Times* called forth so powerful an insurrectionary feeling, that the President was forced to revoke the order. Thus, through premature and too violent development, the whole conspiracy to break down party opposition to the men in power, and subjugate the Northwest, utterly failed.

In February, 1864, application for redress in behalf of Mr. Vallandigham was made to the Supreme Court of the United States, and although a notice of it now is out of the order of time, still to close up the matter of his trial we will here give it. Mr. Pugh applied for a writ of *certiorari* to



review and annul the proceedings and sentence of the military commission before which Mr. Vallandigham had been tried; but that tribunal, having under the Constitution no appellate jurisdiction of any kind, except in cases first ascertained by law, and Congress not having given such jurisdiction in any proceeding before courts-martial or military commission, was obliged, and upon this ground expressly and alone, to deny the writ. No American legislator had ever before imagined that any mere citizen would, under any circumstances, be subjected to trial by military law in a State where judicial process and courts had never been interrupted, and therefore no mode of redress had ever been provided.

## CHAPTER XIII.

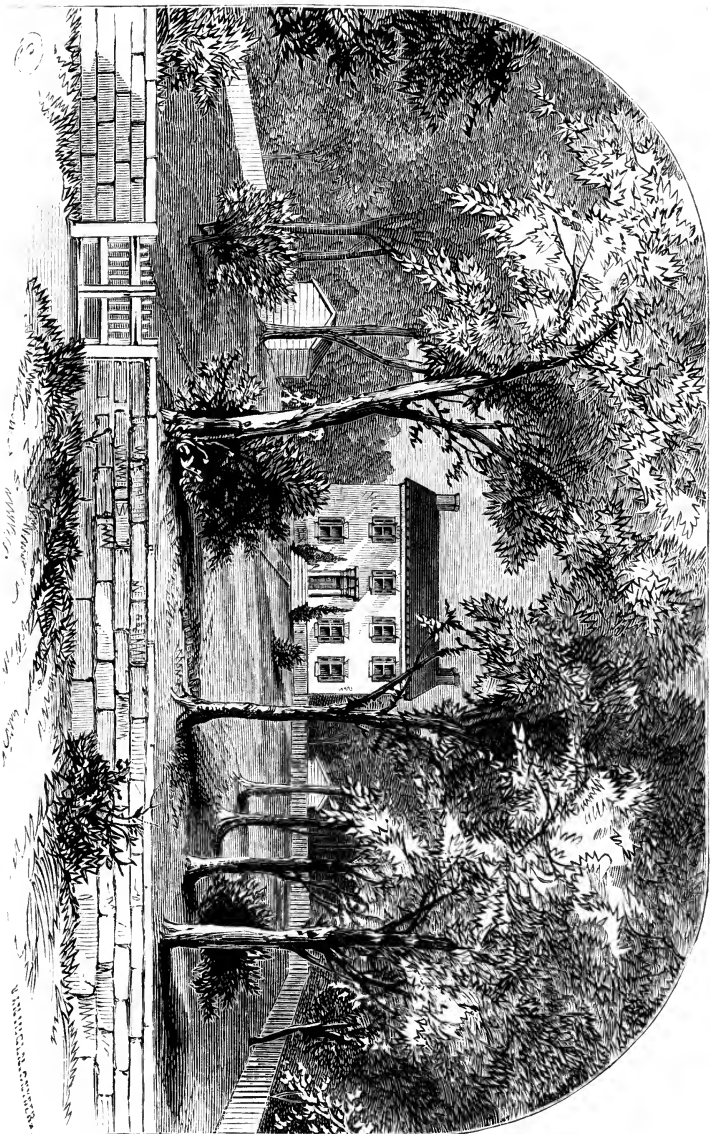
### EXILE AND POLITICAL CAMPAIGN OF 1863.

ALL efforts for Mr. Vallandigham's release having failed, on the 19th day of May, 1863, he was placed upon the gunboat *Exchange*, commanded by Captain John Sebastian, to be transferred to Louisville on his way South. His intercourse with Captain Sebastian was pleasant. The Captain was a gentleman in every sense of the word, and had a heart capable of appreciating the feelings of his prisoner. A regard and intimacy grew up between them which lasted during Mr. Vallandigham's life. Just before his death he gave a letter of introduction to a friend to be presented to Captain Sebastian, and when he did so he spoke in the warmest terms of the kindness and consideration with which the Captain had treated him when he took him a prisoner from Cincinnati to Louisville. It was the 19th of May when Mr. V. was put in charge of Captain Sebastian, and at 11 o'clock on the 22d the steamer started down the river. He was informed of the change of his sentence (from imprisonment in Fort Warren to banishment to the South) upon the gunboat a day or two before. The morning of his departure from Cincinnati, he drew up the following address to the Democracy of Ohio:—

“MILITARY PRISON, CINCINNATI, OHIO, *May 22, 1863.*

“*To the Democracy of Ohio:*

“Banished from my native State for no crime save Demo-



BIRTH-PLACE OF C. L. VALLANDIGHAM, NEW LISBON, OHIO.



cratic opinions and free speech to you in their defence, and about to go into exile, not of my own will but by the compulsion of an arbitrary and tyrannic power which I cannot resist, allow me a parting word. Because despotism and superior force so will it, I go within the Confederate lines. I well understand the purpose of this order. But in vain the malice of enemies shall thus continue to give color to the calumnies and misrepresentations of the past two years. They little comprehend the true character of the man with whom they have to deal. No order of banishment, executed by superior force, can release me from my obligations or deprive me of my rights as a citizen of Ohio and of the United States. My allegiance to my own State and Government I shall recognise, wheresoever I may be, as binding in all things, just the same as though I remained upon their soil. Every sentiment and expression of attachment to the Union and devotion to the Constitution—to my country—which I have ever cherished or uttered, shall abide unchanged and unretracted till my return. Meantime, I will not doubt that the people of Ohio, covering not a moment before the threats or the exercise of arbitrary power, will, in every trial, prove themselves worthy to be called freemen.

“C. L. VALLANDIGHAM.”

On his arrival at Louisville, Kentucky, he wrote a letter to his wife dated May 23d, in which he said he “was in fine spirits and enjoying excellent health.” After remaining a few hours at Louisville, he was started under a strong guard for Murfreesboro’, the outpost of the Northern army in Tennessee. His journey was without adventure; he remained but a short time in Nashville, and thence in a special train proceeded to Murfreesboro’.

On the evening of May 24th he was brought to the house of the Hon. Charles Ready, in Murfreesboro’, Tennessee, then the headquarters of the Provost-Marshal. It was there he first met General Rosecrans, and the interview between them was interesting, and, considering the circumstances, much more

agreeable than could have been expected. At the beginning of the conversation between these distinguished men, the General, without using any insulting expression to his prisoner, manifested a disposition to lecture him for his opposition to the war. This was promptly met in a firm and dignified manner by Mr. Vallandigham. The General was somewhat taken aback for a moment, and then proceeded to give his views upon the harm done, in his opinion, by men who were "disloyal" in the North, and the hatred entertained against such men in the army. He concluded by remarking, "Why, Sir, do you know that unless I protect you with a guard my soldiers will tear you to pieces in an instant?" To this Mr. Vallandigham in substance replied, "That, Sir, is because they are just as prejudiced and ignorant of my character and career as yourself; but, General, I have a proposition to make. Draw your soldiers up in a hollow square to-morrow morning, and announce to them that Vallandigham desires to vindicate himself, and I will guarantee that when they have heard me through they will be more willing to tear Lincoln and yourself to pieces than they will Vallandigham." The General shook his head and declined the experiment, saying "he had too much regard for the life of the prisoner to try it." The conversation then became less personal in its nature, and Mr. Vallandigham's pleasant genial manner so won upon the gallant General, that before they parted their interview assumed more the appearance of a convivial meeting than that of a prisoner with one having almost unlimited authority over his disposal. About midnight the General arose to leave, and laying his hand on Mr. V.'s shoulder, he said to Col. McK., of his staff, "He don't look a bit like a traitor, now does he, Joe?" They talked

together about four hours, and before the interview ended it was very evident that the General regretted the duty that devolved upon him of enforcing the penalty against his prisoner. Upon parting he shook Mr. Vallandigham warmly by the hand.

At two o'clock in the morning of the 25th the clattering of hoofs and the clank of sabres gave him notice to prepare for further journeyings. Surrounded by quite a numerous body of cavalry, commanded by Major Miles, the Provost-Marshal, he went forth into the darkness towards the Confederate lines, by way of the Shelbyville pike. After marching forward for a little over an hour, a halt was made at the house of a Mr. Butler to wait for daylight. At the first gleam of dawn the escort and the prisoner resumed their march. Mr. Vallandigham was composed and cheerful, and discussed his situation indifferently as he rode along; but according to the account of one of his escort, was perceptibly affected when the extreme outpost of the Union army was passed and the Confederate picket-line was approached. He breakfasted at the house of a Mrs. Alexander, while the officers in charge of him went with a flag of truce to announce to the officer commanding the Southern pickets the presence of Mr. Vallandigham, and their desire to place him within the Confederate lines. Considerable delay ensued. The officer having charge of the Southern pickets seemed to doubt the propriety of permitting Mr. V. to come within the lines, and word was sent to General Bragg of the condition of affairs. Meanwhile the Federal officer, who did not want any longer to be delayed with his troublesome charge, took him to within a short distance of the extreme picket-line of the Confederate forces, and left him at

the house of Jeremiah Odell. Before the Federal officers left Mr. V. addressed these words to the Confederate soldier, a private in the 8th Alabama regiment, who had been sent to meet him. "I am a citizen of Ohio, and of the United States. I am here within your lines by force, and against my will. I therefore surrender myself to you as a prisoner of war." The Federal officers then bade him farewell and galloped away. The soldier with whom he was now left seemed greatly perplexed as to how he should act, and whether he was to consider his prisoner as a friend or an enemy. General Bragg's headquarters were sixteen miles in the rear of the advanced post at which Mr. Vallandigham was left, and it was several hours before an answer came from the General authorising his reception. "They were hours," said Mr. Vallandigham, "of solitude, but calmly spent—the bright sun shining in the clear sky above me, and faith in God and the future burning in my heart." But it was a novel situation, and many strange thoughts passed through his mind as he stood upon the neutral ground between contending armies, not daring to go back and uncertain whether he could go forward. About noon a message came from General Bragg to bring Mr. V. to his headquarters; and he was driven in an ambulance, under an escort of cavalry, through numerous camps to Shelbyville. Soon after dusk he arrived in the town and proceeded immediately to the General's headquarters, where he was met in a kind and courteous manner. In the evening he was directed to the house of Mrs. Eakin, where a spacious and pleasant room had been provided for him. "I retired at once," he wrote to a friend, "having slept but half an hour since Saturday night, and was awakened early next morning by the rays of a bright



Southern sun piercing the eastern window of my room. There were no sentinels at my door, and I walked out unchallenged." An interesting incident occurred to him whilst he was sojourning in the neighborhood of Shelbyville. In company with other gentlemen he was invited to spend the day at the house of a very elegant and estimable lady living near that place. After a day most agreeably spent in the society of several charming ladies, he was preparing to leave, when his hostess addressed him in substantially these words:—"Mr. Vallandigham, we expect you to remain with us. About a year ago I had a singular presentiment, having often heard of you and admired your noble and independent spirit, that you would be either driven or banished from your home to the South, and I then set about preparing a room for you. I have had it ready for months, and now you must remain and occupy it, for it was fitted up especially for your convenience and comfort." Singular as this statement was, it was nevertheless true, for she had mentioned it to others before he was sent South; yet she had never seen him until the day this conversation occurred. Mr. Vallandigham received many similar invitations whilst in the South, among them one from the Hon. Joshua Hill, of Georgia, a gentleman who was an earnest supporter of the Union during the whole war. In Shelbyville he remained a week, passing most of the time in seclusion. On the 1st of June he was directed to report on parole to General Whiting at Wilmington, North Carolina. The next day, as he was passing along through the camps, just before taking the train for Chattanooga, friendly demonstrations were made towards him by crowds of soldiers who had been informed who it was: this was promptly suppressed by the officers, and was unexpected and undesired by Mr. Vallandigham.

Leaving Mr. Vallandigham for the present in the South, we return to the State of Ohio. The Democratic State Convention assembled at Columbus on the 11th of June. In many respects it was the most remarkable political meeting ever held in the United States. Although but a delegate convention, the people came up from every county to the number of more than twenty thousand. Even from parts of the State traversed by railroads, many travelled in wagons, and bringing provisions with them, camped out. At daylight on the morning of the 11th, three several orators from as many different stands in the State House yard were haranguing the people. The following accounts are from papers published at the time. The *Statesman* says:—

“The Democratic State Convention of June 11, 1863, will long be remembered by thousands who participated in the proceedings of the day, as well as by the denizens of Columbus and other lookers-on who may not have participated in its proceedings nor sympathised in what was done. Such an outpouring of the people was never witnessed in Ohio, and the spirit and enthusiasm that prevailed were unparalleled.

“Early as Tuesday evening the people began to flock to the capital from all parts of the State, and on Wednesday a constant stream kept pouring into the city, until every place where entertainment could be had was exhausted, and many of the private residences as well as our public buildings were filled to overflowing, to say nothing of the mass of people that camped out in the outskirts of the city. When to this vast crowd was added the number that came in on yesterday morning from every section of the country, the assembled thousands were here in such numbers that we will not attempt to estimate them. Every conceivable mode of conveyance was brought into requisition to bring the people to Columbus. They came by railroad, in canal boats, in carriages, wagons, on horseback and on foot, and but one heart and one spirit animated the immense living and moving mass, and that was a determination to do everything in the power of men to do to save, if possible, the grand old Constitution and the Union, and their own per-

sonal rights and liberties as citizens of Ohio. On Wednesday afternoon and evening impromptu speeches were made, not only in the centre of the city to large crowds, but in many portions of the town remote from the State House; and on yesterday morning early, the people appearing in vast cavalcades from every road that leads to our city, was the signal for huzzas and speaking to commence, which was inaugurated before 7 o'clock in the morning and kept up all day. And as to the vast crowd, what shall we say of it? In enthusiasm it was beyond anything we have ever witnessed in the many meetings we have attended in the past thirty years, and in its personal conduct and demeanor we think we speak correctly and truly when we say that a more orderly assemblage never met on any occasion in Ohio."

The correspondent of the *Cincinnati Gazette* (Republican) says:—

"By the evening trains the crowd came pouring in as if the flood would never cease. The hotels were already overflowing. The clerk of the Neil House allowed me one room, to which he had already absolutely assigned seventeen delegates, while six more for the same room were marked 'coming.' A smart shower did not seem to dampen the unmistakable enthusiasm in the least. Crowds on the corners cheered for Vallandigham; little boys perambulated the hotels peddling photographs of the exile; a meeting was improvised in the midst of the rain in the State House yard, and patient crowds, with and without umbrellas, listened to a Mr. Mayo, who declared that it would be the proud privilege, as well as the duty of the Convention, to nominate that incorruptible statesman and fearless patriot, Clement L. Vallandigham, and then, if military minions undertook to interfere with the election or inauguration, let them fall back upon their own stout right arms and hearts, and defend their constitutional rights: whereat the crowd cheered immensely. The enthusiasm is as unquestioned as the crowd. As I write, the State House yard is black with the audience of some 'stumper' on the steps, and every minute or two there comes a burst of cheering, and the air is darkened with a swarm of waving hats. The streets are filled with the incoming delegates; now and then files of straggling wagons, with a profusion

of flags, pass along, and the inmates yell and wave their hats with frantic earnestness — everywhere cheering and flags and crowds of earnestly-talking and gesticulating humanity, and shouts of ‘Hurrah for Vallandigham!’ There has been no more enthusiastic convention here for years than this one now promises to be.”

After the organization of the Convention a ballot was taken for Governor, and Mr. Vallandigham was nominated by a vote of four hundred and eleven to thirteen. The nomination was then made unanimous amid shouts of applause. Able and eloquent speeches were made and spirited resolutions passed. Among them were the following:—

“That the arrest, imprisonment, and pretended trial and actual banishment of C. L. Vallandigham, a citizen of the State of Ohio, not belonging to the land or naval forces of the United States, nor to the militia in actual service, by alleged military authority, for no other pretended crime than that of uttering words of legitimate criticism upon the conduct of the Administration in power, and of appealing to the ballot-box for a change of policy — said arrest and military trial taking place where the courts of law are open and unobstructed, and for no act done within the sphere of active military operations in carrying on the war — we regard as a palpable violation of the provisions of the Constitution of the United States.

“That Clement L. Vallandigham was, at the time of his arrest, a prominent candidate for nomination by the Democratic party for the office of Governor of the State; that the Democratic party was fully competent to decide whether he was a fit man for that nomination, and that the attempt to deprive them of that right by his arrest and banishment was an unmerited imputation upon their intelligence and loyalty, as well as a violation of the Constitution.

“That we respectfully, but most earnestly, call upon the President of the United States to restore Clement L. Vallandigham to his home in Ohio, and that a committee of one from each congressional district of the State, to be selected by the presiding officer of this convention, is hereby appointed to present this application to the President.”

In pursuance of this resolution, a committee composed of some of the leading men of the State was appointed, who repaired to Washington, and in person delivered the following letter to the President:—

“WASHINGTON CITY, June 26, 1863.

“*To His Excellency, the President of the United States*:—The undersigned having been appointed a committee, under the authority of the resolutions of the State Convention held at the City of Columbus, Ohio, on the 11th inst., to communicate with you on the subject of the arrest and banishment of Clement L. Vallandigham, most respectfully submit the following as the resolutions of that Convention bearing upon the subject of this communication, and ask of your Excellency their earnest consideration. And they deem it proper to state that the Convention was one in which all parts of the State were represented, and one of the most respectable as to numbers and character, one of the most earnest and sincere in the support of the Constitution and the Union, ever held in that State.”

Here were inserted the resolutions, some of which are presented above.

“The undersigned, in the discharge of the duty assigned them, do not think it necessary to reiterate the facts connected with the arrest, trial, and banishment of Mr. Vallandigham—they are well known to the President, and are of public history—nor to enlarge upon the positions taken by the Convention, nor to recapitulate the CONSTITUTIONAL PROVISIONS which it is believed have been violated: they have been stated at length, and with clearness, in the resolutions which have been recited. The undersigned content themselves with a brief reference to other suggestions pertinent to the subject.

“They do not call upon your Excellency as suppliants, praying the revocation of the order banishing Mr. Vallandigham as a favor; but by the authority of a Convention representing a majority of the citizens of the State of Ohio, they respectfully ask it as a right due to an American citizen in whose personal injury the sovereignty and dignity of the people of

Ohio as a free State have been offended. And this duty they perform the more cordially from the consideration that, at a time of great national emergency, pregnant with danger to our Federal Union, it is all-important that the true friends of the Constitution and the Union, however they may differ as to *the mode* of administering the Government, and the measures most likely to be successful in the maintenance of the Constitution and the restoration of the Union, should not be thrown into conflict with each other.

"The arrest, unusual trial, and banishment of Mr. Vallandigham, have created wide-spread and alarming disaffection among the people of the State, not only endangering the harmony of the friends of the Constitution and the Union, and tending to disturb the peace and tranquillity of the State, but also impairing that confidence in the fidelity of your Administration to the great landmarks of free government essential to a peaceful and successful enforcement of the laws of Ohio.

"You are reported to have used, in a public communication on this subject, the following language :

"It gave me pain when I learned that Mr. Vallandigham had been arrested—that is, I was pained that there should have seemed to be a necessity for arresting him ; and that it will afford me great pleasure to discharge him so soon as I can by any means believe the public safety will not suffer by it.'

"The undersigned assure your Excellency, from our personal knowledge of the feelings of the people of Ohio, that the public safety will be far more endangered by continuing Mr. Vallandigham in exile than by releasing him. It may be true that persons differing from him in political views may be found in Ohio, and elsewhere, who will express a different opinion ; but they are certainly mistaken.

"Mr. Vallandigham may differ with the President, and even with some of his own political party, as to the true and most effectual means of maintaining the Constitution and restoring the Union ; but this difference of opinion does not prove him to be unfaithful to his duties as an American citizen. If a man, devotedly attached to the Constitution and the Union, conscientiously believes that, from the inherent nature of the Federal compact, the war, in the present condition of things in this country, can not be used as a means of restoring the Union ; or that a war to subjugate a part of the States, or

a war to revolutionise the social system in a part of the States, could not restore, but would inevitably result in the final destruction of both the Constitution and the Union—is he not to be allowed the right of an American citizen to appeal to the judgment of the people for a change of policy by the constitutional remedy of the ballot-box?

“During the war with Mexico many of the political opponents of the Administration then in power thought it their duty to oppose and denounce the war, and to urge before the people of the country that it was unjust and prosecuted for unholy purposes. With equal reason it might have been said of them that their discussions before the people were calculated to ‘discourage enlistments,’ ‘to prevent the raising of troops,’ and to ‘induce desertions from the army,’ and ‘leave the Government without an adequate military force to carry on the war.’

“If the freedom of speech and of the press are to be suspended in time of war, then the essential element of popular government to effect a change of policy in the constitutional mode is at an end. The freedom of speech and of the press is indispensable, and necessarily incident to the nature of popular government itself. If any inconvenience or evils arise from its exercise, they are unavoidable.

“On this subject you are reported to have said, further :

“‘It is asserted, in substance, that Mr. Vallandigham was by a military commander seized and tried for no other reason than words addressed to a public meeting in criticism of the course of the Administration, and in condemnation of the military order of the General. Now, if there be no mistake about this—if there was no other reason for the arrest—then I concede that the arrest was wrong. But the arrest, I understand, was made for a very different reason. Mr. Vallandigham avows his hostility to the war on the part of the Union; and his arrest was made because he was laboring with some effect to prevent the raising of troops, to encourage desertions in the army, and to leave the rebellion without an adequate military force to suppress it. He was not arrested because he was damaging the political prospects of the Administration, or the personal interest of the Commanding General, but because he was damaging the army, upon the existence and vigor of which the life of the nation depends. He was warring

upon the military, and this gave the military constitutional jurisdiction to lay hands upon him. If Mr. Vallandigham was not damaging the military power of the country, then his arrest was made on a mistake of facts, which I would be glad to correct on reasonable satisfactory evidence.'

"In answer to this, permit us to say, first, that neither the charge, nor the specifications in support of the charge on which Mr. Vallandigham was tried, impute to him the act of either laboring to prevent the raising of troops, or to encourage desertions from the army. Secondly, no evidence on the trial was offered with a view to support, or even tended to support, any such charge. In what instance and by what act did he either discourage enlistments or encourage desertions from the army? Who is the man who was discouraged from enlisting, and who was encouraged to desert, by any act of Mr. Vallandigham? If it be assumed that perchance some person might have been discouraged from enlisting, or that some person might have been encouraged to desert on account of hearing Mr. Vallandigham's views as to the policy of the war as a means of restoring the Union, would that have laid the foundation for his conviction and banishment? If so, upon the same grounds every political opponent of the Mexican War might have been convicted and banished from the country.

"When gentlemen of high standing and extensive influence, including your Excellency, opposed in the discussions before the people the policy of the Mexican War, were they 'warring upon the military,' and did this 'give the military constitutional jurisdiction to lay hands upon' them? And finally, the charge in the specifications upon which Mr. Vallandigham was tried, entitled him to a trial before the civil tribunals, according to the express provisions of the late Acts of Congress, approved by yourself, of July 17, 1862, and March 3, 1863, which were manifestly designed to supersede all necessity or pretext for arbitrary military arrests.

"The undersigned are unable to agree with you in the opinion you have expressed, that the Constitution is different in time of insurrection or invasion from what it is in time of peace and public security. The Constitution provides for no limitation upon, or exceptions to, the guarantees of personal liberty, except as to the writ of *habeas corpus*. Has the President, at the time of invasion or insurrection, the right to en-



graft limitations or exceptions upon these constitutional guarantees whenever, in his judgement, the public safety requires it?

"True it is, the article of the Constitution which defines the various powers delegated to Congress, declares that the 'privilege of the writ of *habeas corpus* shall not be suspended unless where, in cases of rebellion or invasion, the public safety may require it.' But this qualification or limitation upon this restriction upon the powers of Congress has no reference to, or connection with, the other constitutional guarantees of personal liberty. Expunge from the Constitution this limitation upon the power of Congress to suspend the writ of *habeas corpus*, and yet the other guarantees of personal liberty would remain unchanged.

"Although a man might not have a constitutional right to have an immediate investigation made as to the legality of his arrest upon *habeas corpus*, yet his 'right to a speedy and public trial by an impartial jury of the State and District wherein the crime shall have been committed,' will not be altered; neither will his right to the exemption from 'cruel and unusual punishments;' nor his right to be secure in his person, houses, papers and effects against any unreasonable seizures and searches; nor his right to be deprived of life, liberty or property, without due process of law; nor his right not to be held to answer for a capital or otherwise infamous offence unless on presentment or indictment of a grand jury, be in anywise changed.

"And certainly the restriction upon the power of Congress to suspend the writ of *habeas corpus* in time of insurrection or invasion, could not affect the guarantee that the freedom of speech and of the press shall not be abridged. It is sometimes urged that the proceedings in the civil tribunals are too tardy and ineffective for cases arising in times of insurrection or invasion. It is a full reply to this to say, that arrests by civil process may be equally as expeditious and effective as arrests by military orders.

"True, a summary trial and punishment are not allowed in the civil courts. But if the offender be under arrest and imprisoned, and not entitled to a discharge under a writ of *habeas corpus*, before trial, what more can be required for the purposes of the Government? The idea that all the constitu-

tional guarantees of personal liberty are suspended throughout the country at a time of insurrection or invasion in any part of it, places us upon a sea of uncertainty, and subjects the life, liberty and property of every citizen to the mere will of a military commander, or what he may say he considers the public safety requires. Does your Excellency wish to have it understood that you hold that the rights of every man throughout this vast country are subject to be annulled whenever you may say that you consider the public safety requires it, in time of invasion or insurrection? You are further reported as having said that the constitutional guarantees of personal liberty have 'no application to the present case we have in hand, because the arrests complained of were not made for treason — that is, not for the treason defined in the Constitution, and upon the conviction of which the punishment is death — nor yet were they made to hold persons to answer for capital or otherwise infamous crime; nor were the proceedings following in any constitutional or criminal sense legal prosecutions. The arrests were made on totally different grounds, and the proceedings following accorded with the grounds of the arrests,' &c. The conclusion to be drawn from this position of your Excellency is, that where a man is liable to a 'criminal prosecution,' or is charged with a crime known to the laws of the land, he is clothed with all the constitutional guarantees for his safety and security from wrong and injustice; but where he is not liable to a 'criminal prosecution,' or charged with any crime known to the laws, if the President or any military commander shall say that he considers that the public safety requires it, this man may be put outside of the pale of the constitutional guarantees, and arrested without charge of crime, imprisoned without knowledge what for, and any length of time, or be tried before a court-martial and sentenced to any kind of punishment unknown to the laws of the land which the President or the military commander may see proper to impose.

"Did the Constitution intend to throw the shield of its securities around the man liable to be charged with treason as defined by it, and yet leave the man not liable to any such charge unprotected by the safeguard of personal liberty and personal security? Can a man not in the military or naval service, nor within the field of the operations of the army, be arrested and imprisoned without any law of the land to author-

ise it? Can a man thus in civil life be punished without any law defining the offence and prescribing the punishment? If the President or a court-martial may prescribe one kind of punishment unauthorised by law, why not any other kind? Banishment is an unusual punishment, and unknown to our laws. If the President has the right to prescribe the punishment of banishment, why not that of death and confiscation of property? If the President has the right to change the punishment prescribed by the court-martial from imprisonment to banishment, why not from imprisonment to torture upon the rack, or execution upon the gibbet?

"If an indefinable kind of constructive treason is to be introduced and engrafted upon the Constitution, unknown to the laws of the land, and subject to the will of the President whenever an insurrection or invasion shall occur in any part of this vast country, what safety or security will be left for the liberties of the people?

"The 'constructive treason' that gave the friends of freedom so many years of toil and trouble in England, was inconsiderable compared to this. The precedents which you make will become a part of the Constitution for your successors, if sanctioned and acquiesced in by the people now.

"The people of Ohio are willing to co-operate zealously with you in every effort warranted by the Constitution to restore the Union of the States, but they cannot consent to abandon those fundamental principles of civil liberty which are essential to their existence as a free people.

"In their name we ask that, by a revocation of the order of his banishment, Mr. Vallandigham may be restored to the enjoyment of those rights of which they believe he has been unconstitutionally deprived.

"We have the honor to be

"Respectfully yours, &c.

"M. BIRCHARD, Chair'n, 19th Dist.  
DAVID A. HOUK, Sec'y, 3d Dist.  
GEO. BLISS, 14th Dist.  
T. W. BARTLEY, 8th Dist.  
W. J. GORDON, 18th Dist.  
JOHN O'NEILL, 13th Dist.  
C. A. WHITE, 6th Dist.  
W. E. FINCK, 12th Dist.  
ALEXANDER LONG, 2d Dist.  
J. W. WHITE, 16th Dist.

JAS. R. MORRIS, 15th Dist.  
GEO. S. CONVERSE, 7th Dist.  
WARREN P. NOBLE, 9th Dist.  
GEO. H. PENDLETON, 1st Dist.  
W. A. HUTCHINS, 11th Dist.  
ABNER L. BACKUS, 10th Dist.  
J. F. MCKINNEY, 4th Dist.  
L. C. LEBLOND, 5th Dist.  
LOUIS SCHÆFER, 17th Dist."

A similar committee was appointed by the Albany meeting, who presented to the President resolutions and a letter of like import with the above. To both committees Mr. Lincoln returned separate replies in writing, justifying the outrage, and insisting gravely upon his constitutional right to commit and repeat it. In these extraordinary letters he maintained the whole doctrine of "military necessity," insisting that the Constitution in time of war varied "in its application" from the Constitution in time of peace, so that its limitations upon power, and the rights secured by it to the States and the people, ceased, in cases of rebellion and invasion involving the public safety, to be applicable, and that "the man whom for the time the people had under the Constitution made the Commander-in-chief of the army and navy, was the man" who was to decide when the public safety was involved, and what in that case ought to be done. He went further, and forgetting his high position as President, resorted to subterfuge and prevarication in order to justify the particular act of which the committees complained. Wholly ignoring the "charge and specification" upon which alone Mr. Vallandigham had been arrested and subjected to trial by the military commission, and conceding in so many words that if the arrest were made for language addressed to a public meeting in criticism of the Administration, or in condemnation of the military order of the General, "it was wrong," he did not scruple to assert that Mr. Vallandigham was arrested "because he was laboring with some effect to prevent the raising of troops, to encourage desertions from the army, and to leave the rebellion without an adequate military force to suppress it." No such charge had been referred against him, and it was without the slightest

foundation in truth. He further charged Mr. Vallandigham with being in complicity with armed combinations to resist the conscription and the arrest of deserters, and with numerous acts of assassination that had been committed — overt acts of crime, easy of proof if true, yet constituting no part of the charge and specification before the military commission. With a knowledge too that Mr. Vallandigham's speeches, including the very one for which ostensibly he had been arrested, were full of injunctions to obey all laws and to respect all rightful authority, Mr. Lincoln did not hesitate to add that with all these acts of violence and resistance "staring him in the face, he [Mr. V.] had never uttered a word of rebuke or counsel against them." Yet after all these assertions he declared in his reply to the Albany committee, and repeated it in his letter to the committee from Ohio, that Mr. Vallandigham's arrest "had been for *prevention*, and not for *punishment*; not so much for what had been done, as for *what probably would be done*." He concluded his letter to the Ohio committee with an offer to revoke the order of banishment, upon the condition that the several members of the committee should bind themselves to certain propositions in writing submitted by him, which implied nothing less than support of the war and indorsement of the Administration; but he added with despotic insolence, that "in regard to Mr. Vallandigham and all others, he would hereafter as heretofore, do so much as the public safety might seem to require." To the propositions thus made, the committee replied that they "were not authorised to enter into any bargains, terms, contracts, or conditions with the President of the United States to procure the release of Mr. Vallandigham." The entire correspondence was conducted on the part of both committees with great dignity and consummate ability.

In the meantime Mr. Vallandigham was on his way from the South to Canada, which, before leaving Cincinnati, he had resolved to reach at the earliest moment ; and in case he found blockade-running from the eastern ports impracticable or too hazardous, then to cross the Mississippi and make his way through Texas to Matamoras, and thence by steamer to Havana and Halifax. But at that time vessels were running to and from Wilmington almost with the regularity of packets ; and after a sojourn there of a few days, he took passage on the steamer *Cornubia*, Captain Gayle, and on the evening of the 17th of June ran out in safety through the blockading squadron, and arrived in Bermuda on the 20th. The following incident occurred on the passage. One morning a steamship hove in sight and bore down upon the vessel on which he had embarked. On nearer approach it was apparent that it was a United States man-of-war. On board the vessel there was great alarm, for not only had the Captain many things which were contraband of war, but also as passengers several Southern officers and Confederate agents who no doubt had important papers with them. It was soon evident that the war steamer was the faster sailer, and visions of imprisonment for himself and confiscation of his vessel filled the mind of the Captain. Most of the passengers were equally alarmed. The Captain rushed into the cabin to consult Mr. Vallandigham. Mr. V. inquired whether he had any British uniforms on board, and being informed that he had, suggested that he should clothe as many of his men as possible in these uniforms, and parade them up and down on deck, so as to produce the impression that his steamer was an English transport with troops aboard. The experiment was immediately tried and

succeeded to a charm. The Captain of the American ship, perceiving the brilliant scarlet of the British army, and taking it for granted that the vessel was loaded with troops from England destined for some part of the British possessions, tacked and bore away, much to the relief of the Captain of the blockade-runner and most of his passengers. A false and ridiculous account of this affair was published by the enemies of Mr. Vallandigham several years afterwards, in which it was stated that he was greatly alarmed on that occasion, and so overjoyed at his escape from capture that he shed tears and clasped the Captain of the vessel in warm embrace. There was not a word of truth in this. A moment's reflection will show its absurdity. Mr. Vallandigham had no cause for alarm; his sentence was that he should be imprisoned if he came within the Federal lines, otherwise he was to be unmolested. His being found in a vessel going to Canada would not render him liable to any punishment. As to the story of childish joy at his escape and the ridiculous mode of exhibiting it, no one acquainted with his perfect coolness in circumstances the most exciting will be so credulous as to believe it. His capture would have resulted only in annoyance and temporary delay in reaching his place of destination.

In Bermuda he spent ten days very pleasantly, and then by steamer went to Halifax, landing on the 5th of July. From Halifax by way of Truro he travelled to Pictou, and thence by steamer up the Gulf and river Saint Lawrence to Quebec, where, as in Bermuda and at Halifax, he was cordially and honorably received. A correspondent of a New York paper, writing from Montreal, July 14, says: "As soon as it was known that Mr. Vallandigham was in Canada, Englishmen,

Scotchmen, and Irishmen, who, as the sons of men that for five hundred years fought for the trial by jury, knew the value of *Magna Charta* and of *Habeas Corpus*, and of the Petition of Right, met almost spontaneously to bear tribute to him in whose person these three great bulwarks of British liberty had been violated." At the Club House he was tendered and accepted a very handsome entertainment, at which he met a number of the most distinguished gentlemen of Canada. The speech he made on that occasion is thus referred to by the same correspondent:—

"Mr. Vallandigham confined his remarks to general principles of liberty, law, *Magna Charta*, *Habeas Corpus*, without any personal applications to his own case, and dwelt upon how much the framers of the Constitution were guided by the British Barons of Runnymede, my Lord Coke, the extorters of the Right of Petition from King Charles, the persevering energy that drew out that British writ of liberty, the *Habeas Corpus*, &c. His remarks were admirable, and did honor to the American name. The people were urgent that the demonstration should be public, but Mr. Vallandigham would not consent to it. All Canada would have turned out if there had been time, to testify through him to *Magna Charta* and *Habeas Corpus*. At 11 P. M. he went off in an extra train which Mr. Bridges had provided for him.

"Our Montreal gentlemen were delighted with Mr. Vallandigham's understanding and comprehension of the great struggles we had in England to preserve British liberty, and which had cost our fathers two revolutions, one of blood and one of peace, in which we had dethroned a king and then a queen. One of the speakers, Mr. R——, said, in compliment, the pleasure of meeting Mr. Vallandigham would fully repay his voyage across the Atlantic."

Mr. Vallandigham arrived at Niagara Falls, Canada West, on the 15th of July, and stopped at the Clifton House. The following account of his arrival is given by a correspondent of the *Chicago Times*:—



"CLIFTON HOUSE, NIAGARA FALLS, C. W.,

*July 16, 1863.*

"Mr. Vallandigham arrived here yesterday morning. The appearance of his name upon the register caused the most intense excitement among the guests. The news of his arrival spread rapidly in the vicinity, and during yesterday and to-day hundreds of visitors called to pay their respects to him. Several parties of ladies and gentlemen have come over from the American shore.

"The mighty cataract and the grand mountain scenery are forgotten, the delightful drives are abandoned. The exiled statesman is the absorbing subject of interest and consideration. Eager groups, anxious to learn every particular of his eventful career, collect around the favored few who have been honored with personal interviews with the foremost man of the age. Crowds press upon him whenever his presence is accessible, to congratulate him upon his sublime moral achievements and political prospects.

"His manners are modest and unassuming. He has a kind word and genial greeting for all his friends. Yet his manners are not wanting in dignity befitting his position; but the dignity is blended with cordial suavity, so that while he commands respect from every one, he also excites a feeling akin to love in all.

"Mr. Vallandigham was treated in all respects as a prisoner of war in the South, and permitted to depart on giving his parole. He succeeded in running the blockade from Wilmington, North Carolina, about the middle of June, in a small steamer which took him to Bermuda. From the latter place he proceeded in a small steamer to Halifax, where he arrived safely a few days ago, and took passage up the river St. Lawrence to Quebec, whence he came by rail to Clifton.

"Hon. D. W. Voorhees, of Indiana, and Hon. Richard T. Merrick, of Chicago, were among the first to welcome him on his arrival."

Mr. Vallandigham immediately issued the following address to the Democracy of Ohio, accepting the nomination for Governor, and defining his position:—

“ NIAGARA FALLS, CANADA WEST,  
July 15, 1863.

“ *To the Democracy of Ohio:*

“ Arrested and confined for three weeks in the United States, a prisoner of State; banished thence to the Confederate States, and there held as an alien enemy and prisoner of war, though on parole, fairly and honorably dealt with and given leave to depart,—an act possible only by running the blockade at the hazard of being fired on by ships flying the flag of my own country,—I found myself first a freeman when on British soil. And to-day, under protection of the British flag, I am here to enjoy, and in part to exercise, the privileges and rights which usurpers insolently deny me at home. The shallow contrivance of the weak despots at Washington, and their advisers, has been defeated. Nay, it has been turned against them; and I, who for two years was maligned as in secret league with the Confederates, having refused when in their midst, under circumstances the most favorable, either to identify myself with their cause or even so much as to remain, preferring rather exile in a foreign land, return now with allegiance to my own State and Government, unbroken in word, thought or deed, and with every declaration and pledge to you while at home, and before I was stolen away, made good in spirit and to the very letter.

“ Six weeks ago, when just going into banishment, because an audacious but most cowardly despotism compelled it, I addressed you as a fellow-citizen. To-day, and from the very place then selected by me, but after wearisome and most perilous journeyings for more than four thousand miles by land and upon the sea—still in exile, though almost in sight of my native State—I greet you as your representative. Grateful certainly I am for the confidence in my integrity and patriotism implied by the unanimous nomination as candidate for Governor of Ohio which you gave me while I was yet in the Confederate States. It was not misplaced; it shall never be abused. But this is the least of all considerations in times like these. I ask no personal sympathy for the personal wrong. No, it is the cause of constitutional liberty and private right cruelly outraged beyond example in a free country, by the President and his servants, which gives public significance to the action of your convention. Yours was indeed an act of

justice to a citizen who for his devotion to the rights of the States and the liberties of the people, had been marked for destruction by the hand of arbitrary power. But it was much more. It was an act of courage worthy of the heroic ages of the world; and it was a spectacle and a rebuke to the usurping tyrants who, having broken up the Union, would now strike down the Constitution, subvert your present Government, and establish a formal and proclaimed despotism in its stead. You are the RESTORERS AND DEFENDERS OF CONSTITUTIONAL LIBERTY, and by that proud title history will salute you.

"I congratulate you upon your nominations. They whom you have placed upon the ticket with me are gentlemen of character, integrity, ability, and of tried fidelity to the Constitution, the Union, and to liberty. Their moral and political courage—a quality always rare, and now the most valuable of public virtues—is beyond question. Every way, all these were nominations fit to be made. And even jealousy I am sure will now be hushed, if I especially rejoice with you in the nomination of Mr. Pugh as your candidate for Lieutenant-Governor and President of the Senate. A scholar and a gentleman, a soldier in a foreign war, and always a patriot; eminent as a lawyer, and distinguished as an orator and a statesman, I hail his acceptance as an omen of the return of the better and more virtuous days of the Republic.

"I endorse your noble platform—elegant in style, admirable in sentiment. You present the true issue, and commit yourselves to the great mission just now of the Democratic party—to restore and make sure first the rights and liberties declared yours by your Constitutions. It is in vain to invite the States and people of the South to return to a Union without a Constitution, and dishonored and polluted by repeated and most aggravated exertions of tyrannic power. It is base in yourselves, and treasonable to your posterity, to surrender these liberties and rights to the creatures whom your own breath created and can destroy. Shall there be free speech, a free press, peaceable assemblages of the people, and a free ballot any longer in Ohio? Shall the people hereafter, as hitherto, have the right to discuss and condemn the principles and policy of the party—the ministry—the men who for the time conduct the Government,—to demand of their public servants a reckoning of their stewardship, and to place other men and

another party in power at their supreme will and pleasure? Shall Order Thirty-eight or the Constitution be the supreme law of the land? And shall the citizen any more be arrested by an armed soldiery at midnight, dragged from wife and child and home to a military prison; thence to a mock military trial; there condemned, and then banished as a felon for the exercises of his rights? This is the issue: you have nobly met it. It is the very question of free, popular government itself. It is the whole question: upon one side liberty, on the other despotism. The President, as the recognised head of his party, accepts the issue. Whatever he wills, that is law. Constitutions, State and Federal, are nothing; acts of legislation nothing; the judiciary less than nothing. In time of war there is but one will supreme—his will; but one law—military necessity, and he the sole judge. Military orders supersede the Constitution, and military commissions usurp the places of the ordinary courts of justice in the land. Nor are these mere idle claims. For two years and more, by arms they have been enforced. It was the mission of the weak but presumptuous Burnside—a name infamous forever in the ears of all lovers of constitutional liberty—to try the experiment in Ohio, aided by a Judge whom I name not, because he has brought foul dishonor upon the judiciary of my country. In your hands now, men of Ohio, is the final issue of the experiment. The party of the Administration have accepted it. By pledging support to the President, they have justified his outrages upon liberty and the Constitution; and whoever gives his vote for the candidates of that party commits himself to every act of violence and wrong on the part of the Administration which he upholds; and thus, by the law of retaliation, which is the law of might, would fairly forfeit his own right to liberty, personal and political, whenever other men and another party shall hold the power. Much more do the candidates themselves. Suffer them not, I entreat you, to evade the issue; and by the judgment of the people we will abide.

“And now, finally, let me ask: what is the pretext for all the monstrous acts and claims of arbitrary power which you have so boldly and nobly denounced? ‘Military necessity.’ But if, indeed, all these be demanded by military necessity, then, believe me, your liberties are gone, and tyranny is perpetual. For, if this civil war is to terminate only by the sub-

jugation or submission of the South to force of arms, the infant of to-day will not live to see the end of it. No, in another way only can it be brought to a close. Travelling a thousand miles and more through nearly one-half of the Confederate States, and sojourning for a time at widely different points, I met not one man, woman or child who was not resolved to perish rather than yield to the pressure of arms, even in the most desperate extremity. And whatever may and must be the varying fortune of the war, in all which I recognise the hand of Providence pointing visibly to the ultimate issue of this great trial of the States and people of America, they are better prepared now every way to make good their inexorable purpose than at any period since the beginning of the struggle. These may, indeed, be unwelcome truths, but they are addressed only to candid and honest men. Neither, however, let me add, did I meet any one, whatever his opinions or his station, political or private, who did not declare his readiness, *when the war shall have ceased and invading armies been withdrawn*, to consider and discuss the question of reunion. And who shall doubt the issue of the argument? I return, therefore, with my opinions and convictions as to war and peace, and my faith as to final results from sound policy and wise statesmanship, not only unchanged, but confirmed and strengthened. And may the God of heaven and earth so rule the hearts and minds of Americans everywhere that a Constitution maintained, a Union restored, and liberty henceforth made secure, a grander and nobler destiny shall yet be ours than that even which blessed our fathers in the first two ages of the Republic.

“C. L. VALLANDIGHAM.”

This address was received with unbounded enthusiasm, and the campaign in Ohio was entered upon with a spirit and energy unprecedented in the history of the country, exceeding even the memorable campaign of 1840. Meetings were held throughout the State, attended by immense multitudes of people, and addressed by earnest and able speakers. From the papers of the times we make the following extracts, illustrating the intense feeling that everywhere prevailed.

[From the *Crisis*, August 5th.]

“ROUSING MEETINGS EVERYWHERE.

“Such meetings as are now seen of the Democracy everywhere in this State have never before been witnessed; were not even approached in the days of the political revolution of 1840. At Bellefontaine, on the 29th, the throng swelled to fifteen thousand. At Marysville, Union county, on Thursday, some ten thousand were present; and on Friday, at Delaware, the concourse ranged from fifteen to twenty thousand, with thirteen hundred vehicles in procession, and regiments of voters on horseback. The tide is up, and grows with every wave. The people are awake to the fact that their liberties are assailed, and it devolves upon themselves to save them.

“At Circleville, on Saturday, the meeting reached 40,000! as estimated by those competent to judge. Mr. Pugh, Judge Green, and Mr. Fink, addressed this vast crowd, and the enthusiasm and earnestness manifested spoke of a revolution in popular sentiment which would shake an empire already proclaimed.”

[From the same, August 12th.]

“DEMOCRATIC MEETINGS.

“Hereafter we will endeavor to give more attention to an account of the various meetings in the State, and the way in which the noble redemption of the State from Abolition misrule goes on. Those abroad may rest assured that our speakers find the people everywhere ready to meet them even more than half-way. The most intense earnestness prevails in reference to the great cause. Men’s doubts give way before the manifest determination of the people to assume full responsibility for doing anything that becomes men and citizens to defend and maintain the principles of the Union. The time for intimidation has about passed. If there are any cowards in our ranks, they are not at home. We hope it is felt, and believe it is, from one extremity of the State to the other, that the triumph of Vollandigham will be the greatest ever achieved in the name of civil and individual freedom. Feeling thus, it is no wonder that at every meeting ‘an avalanche of the people’ is there!

“The largest meeting ever held in Hancock County gathered at Finlay on the 1st. Over 14,000 people were there, and

were ably addressed by Hon. F. C. LeBlond, the member of Congress of that district, and Colonel Mungen, in English, and Judge Lang of Tiffin, in German. They were all able and eloquent expositions of principle, and elicited repeated bursts of enthusiasm. The Democratic county convention met the same day, and nominated a most excellent ticket. Probably not a hundred were present who lived outside of the county, as the notice was short, and no half-fare trains running.

"On Tuesday, 4th, the meeting at Troy, Miami County, was an immense success, far surpassing the expectations of the most sanguine. Hon. George E. Pugh and William Follet were the principal speakers.

"On the same day (4th) from three to five thousand assembled in council at Toledo. It was at this meeting that the noble letter of the gallant Vallandigham was read, amid the most intense applause. Hon. S. S. Cox addressed the out-door crowd, while Hon. Mr. Pendleton enchaind the attention of the packed audience in the largest hall in the city. The Brough meeting of two weeks previous was thrown entirely in the shade.

"At Kenton, Hardin County, the meeting was an immense affair — the lowest estimate being *twenty-five thousand*. One thousand horsemen were in the procession; also two hundred ladies, adorned with scarfs of red, white, and blue, with the names of Vallandigham and Pugh on them. The procession was seven miles in length, with moving banners and forests of hickories. Two stands were in full blast. The speakers were Pugh, Follet, LeBlond, Armstrong, and Shelby. An immense meeting was also held at night.

"At Upper Sandusky, on the 7th, was held the largest meeting that ever met in Northern Ohio. From *forty to fifty thousand* were there. Twenty-four large hickory poles had been raised in the town and bore aloft the American flag, inscribed Vallandigham and Pugh, Free Speech, Free Press, Free Discussion, the Constitution and Union forever."

[From the same, Aug. 19.]

#### "GREAT DEMOCRATIC DEMONSTRATIONS IN OHIO.

"If large, enthusiastic and spontaneous meetings of the people are any indication of public feeling, Ohio would tomorrow, if an election were held, give Mr. Vallandigham and

the whole Democratic State Ticket at least thirty thousand majority on the home vote.

"Last week, after our return from Niagara Falls and New York, finding things all right in our office, we concluded to take a run up into Knox and Ashland Counties, where Democratic meetings were announced, to see how they looked and judge for ourself how the canvass was progressing.

"We arrived at Frederick town, a few miles north of Mt. Vernon, late in the afternoon of Tuesday, and to our utter surprise found an assemblage of from 7,000 to 10,000 people, gentlemen and ladies. Such enthusiasm we had never before witnessed, and we soon found ourself handed over the heads of the people to the speakers' stand. It made our head fairly swim on casting our eyes over the excited and immense throng before us. The meeting had already been addressed by A. Banning Norton, Esq., an Old Line Whig who has joined the Democratic hosts in this campaign for 'personal liberty;' by Dr. Olds, the Hon. James R. Morris, and the able and eloquent T. J. Kenny, State Senator of the Ashland and Richland District.

"Never before did we see such an interest taken in a candidate as is felt in Mr. Vallandigham. It puts us very much in mind of the outburst for Kossuth on his arrival in this country to escape arrest by the Hainaus of Austria. If Mr. Vallandigham could be brought into Ohio, or any portion of the North, such demonstrations of popular applause as would be witnessed would surpass anything the world ever saw! Thank God, the spirit of liberty burns as brightly as ever in the American bosom, and let the American Hainaus not suppose for a moment that they can suppress it. They can only intensify it by pressure, and nothing more.

"After the meeting in the afternoon closed, the young ladies at the residence of Mr. Rankin sang several of the finest political songs we ever heard; 'Vallandigham and Pugh;' 'The Constitution as it is,' &c.

"The next day the speakers, with the exception of Mr. Norton, proceeded to Haysville, Ashland County, where a similar crowd of thousands were already congregated on their arrival. The same speakers were present, including Judge Bliss, the 'just judge,' elected to Congress from that District. Here we found the same wild enthusiasm for Vallandigham as



in Knox County, participated in by all classes, male and female, old and young. In fact, language cannot do justice to what we saw and heard at these two meetings, while order the most complete was at all times observed. In fact, the excitement seemed more like a religious than a political enthusiasm, in which men, women and children seem to take an equal interest.

"If the Democracy of Knox and Ashland can be beaten in good fellowship and enthusiasm, our majorities in Ohio are certain to reach fifty thousand."

[From the same of the same date.]

"VALLANDIGHAM.

"From all points in the State come to us sounds of 'the increasing tread' of the Vallandigham Democracy. There is no rebutting the testimony borne on every breeze that Vallandigham has become the watchword of civil liberty, and that the people are gathering about his banner as flocked the legions to Tell. And strange and hopeless indeed would be the infatuation of Americans *could* they fail to come 'with shout and song' to the support of him in whose person their every title to freedom and to citizenship has been violated and outraged. But there is no mistaking 'the signs of the times.' The people are awake not only to their own responsibility, to their own danger, but to the inspiration which in all ages has gathered about a chieftain struck by the hand of power for apostleship of human freedom and personal enfranchisement. Almost without notice in any part of the State. thousands flock to a Vallandigham meeting."

We could fill scores of pages with accounts of meetings like these held in every part of the State. These we have given for the purpose of exhibiting the earnest spirit and deep enthusiasm that pervaded the people.

Mr. Vallandigham remained at Niagara Falls till some time in August. The following notice of him appears in the correspondence of the *New York News*:—

"NIAGARA FALLS, August 1, 1863.

*"To the Editors of the New York News:*

"An hour ago I ferried over Niagara river below the Falls, bathed my brow in the mist of the mighty cataract, and here I stand upon British soil, an unwilling witness to the humiliating fact that at least one American citizen here is more free beneath the protecting folds of the cross of St. George than he was upon his own native soil beneath the Stars and Stripes.

"I have just paid my respects to that fearless champion of free speech, the first man whom a hostile Administration under the plea of 'military necessity' ever banished from his State to another of that portion of the country which the banishing power still claims as Federal territory, for the bold and fearless but truthful criticism of its policy.

"I found Mr. Vallandigham at Niagara Falls (Canada side, of course), at the hotel of Mr. Davis, near 'Table Rock,' he having left the Clifton House a few days since.

"My card secured me an immediate reception, and I was agreeably surprised to find him in such excellent health and spirits. Never in the proudest day of his power in Congress had I seen him more hopeful and tranquil. His social and commanding presence, his well-rounded, symmetrical figure, clear complexion, expressive eye, resolute mouth and chin, a forehead denoting high intellectual powers, presented an *ensemble* that had not suffered by its passage through 'Dixie.'

"Since Mr. Vallandigham's arrival at the Falls, some three weeks since, the visits received have been a perfect ovation. Over fifteen hundred persons, distinguished men from all sections, have been here, and their errand has been no idle compliment. He has more honest friends to-day, exiled as he is, than the whole tribe of his maligners from tide-waiter up to the noisiest Abolitionist who is plundering the people. It is remarkable that he bears up under this tax upon physical energy so well."

Towards the last of the month Mr. Vallandigham, after a brief tour down the lakes and the river St. Lawrence to Montreal and Quebec, selected Windsor, in Canada West, opposite Detroit, Michigan, as his place of sojourn. It was easy

of access and convenient for communication with Ohio and the Northwest, while the beautiful Detroit river and Lakes Erie and St. Clair, full of fish and fowl, and the thick forests around abounding in game, could afford healthful exercise for the body and pleasure to the mind. He arrived on the 24th, and the next day was visited by a large delegation of his fellow-citizens from Detroit, who gave him a cordial welcome. On their behalf Judge O'Flynn addressed him thus:—

“On behalf of the gentlemen present, your friends and fellow-citizens of Detroit, who have thus gathered here without preconcert or preparation, I have the pleasure of presenting you their hearty greeting. In feeling and in sympathy they represent many thousands of American patriotic citizens, who deprecate the tyranny which exiled one of the chief citizens of our country, guilty of no offence, and in violation of the Constitution and the law. . . . I doubt not, Sir, but that the record of your patriotic efforts in support of free government, will constitute a brilliant page in American history. Posterity will revere your name, and will be emboldened by your example. Esteemed and honored at home, your fellow-citizens designated you to represent them in the Congress of the nation, and well they know and appreciate how faithfully and ably you discharged the high trust committed to you. . . . But how priceless is this exile since it has caused the usurpers of power to pause in their mad career, and has nerved the arm and aroused the vigilance of freemen to defend the great cornerstone of free institutions — free speech and a free press!”

Mr. Vallandigham replied, thanking his fellow-citizens for their kindly welcome. He said it was gratifying personally, but much more as a testimony for the great cause of constitutional liberty. Very strange was the spectacle of an American citizen in exile, receiving a visit from his own countrymen upon foreign soil, and under the protection of a foreign flag, but in sight of his own country. “It is indeed,” said Mr. V.,

“my country, and as dear to me as when last I trod its soil.” It was not fitting that here he should discuss the political questions of that country. The great issue in this country and at home was, indeed, the question of personal and political liberty, secured in the one by *Magna Charta*, the Petition of Right, the statute of *Habeas Corpus*, and the Bill of Rights; and in the other by the guarantees of our State and Federal Constitutions. In better times he would discuss them at home, with the ancient freedom of an American citizen. Of himself, though so cordially met and kindly referred to, he had nothing to say. He was nothing; the cause everything. A great struggle was going on in the United States to regain lost liberties—freedom of speech, of the press, and of public assemblages, and to maintain free elections. He had great faith in the triumph of the people, faith in Providence, and faith in the race which, in England and America, had successfully supported their rights and liberties for six hundred years. The race would still vindicate itself in the United States. The right of free election, and all that preceded and was essential to it, must be maintained—peaceably if possible, *but it must be maintained at all hazards*. He counselled obedience to the Constitution and to all laws, and the enforcing of that obedience by all men, those in authority and those not in authority. The ballot was the true and proper remedy in the United States for all political wrongs, and it was all-sufficient. But when the ballot is denied, then the right of revolution begins—not the right only, but the sacred duty. Give us a free ballot and we want no more. Through this we will regain liberty, maintain the Constitution, uphold the laws, and restore the Union; and thus we will support the Government which our

fathers made. Claiming the fullest right at home to criticise and condemn the men and acts of the Administration, and meaning at the proper time to again exercise it to the utmost, he, yet on foreign soil, had no word of bitterness to speak. He would only remember now that they represented his country, and forbear.

The canvass in Ohio, as has been already stated, was conducted with extraordinary spirit. Large and enthusiastic Democratic meetings were held in every part of the State, and were addressed by able and eloquent speakers. Mr. Vallandigham earnestly desired to mingle in the conflict, but his friends, fearful of the consequences, would not consent; yet so anxious was he to take part in the canvass, that on one occasion, without their consent, against their advice, he made an attempt to return (an account of which will be given in the next chapter), but was unsuccessful. He, however, sent able and spirited letters to several different meetings, which were published and widely circulated. At a Republican meeting in Columbus, Mr. Brough, his competitor for the office of Governor, had declared that the election of Mr. Vallandigham would be an "invitation to the rebels" to come and take possession of the soil, and that it would "inaugurate civil war in Ohio."

In a letter dated Windsor, C. W., Sept. 15, 1863, to a mass meeting of the Democracy convened in Dayton on the 17th of September, he thus replies:—

"First. The 'invitation to rebels in arms' which my election will signify, will be to lay down their arms and return to the old Union and to obedience to and protection under the Constitution, laws and flag, secure from Abolition intermeddling and agitation as before the war, and from con-

scription, confiscation, execution, emancipation, negro equality, and all exertions of arbitrary, despotic power since.

"Second. There will be no 'civil war' in Ohio if I am elected Governor, unless Mr. Brough and his party inaugurate it; in which event we will 'crush out the rebellion' in a very much shorter space of time than they have employed in putting down the 'slaveholders' rebellion.' If, however, he means that they will 'secede' from the State by voluntary exile to Canada or elsewhere, there will be no 'coercion' in that event. But the threat, if intended to intimidate, is as idle as the wind: if meant seriously, it is time that the people should know it, that they may affix the mark of Cain upon the foreheads of these new conspirators against the ballot-box. In any event, he whom a majority of the 'qualified electors' of Ohio may choose for their Governor will be inaugurated, and the vast mass of the people without distinction of party will aid, if need be, in the work of keeping the peace of the State and carrying out the fundamental maxim of popular governments that the 'majority must govern.' For let Mr. Brough and all others who would defeat the will of the people take notice, that 'there is a mighty mass of men in Ohio whose nerves are strung up like steel,' who mean that the man who is the choice of the people shall be the people's Governor. Should that choice fall upon me, all the duties of the office shall be faithfully and fearlessly discharged. I would myself obey the Constitution and laws, and see to it that all others obeyed them within her limits and jurisdiction. The courts should be open and restored once more to their rightful authority; justice administered without denial or delay, and the military in strict subordination to the civil power. *Habeas corpus* should be respected, no citizen arrested except upon due process of law, or held except for trial by the civil tribunals, and none kidnapped from the State.

"But while the rights of the State and the liberties of her citizens should be thus strictly enforced, the constitutional and lawful authority and rights of the Federal Government should be obeyed and respected with scrupulous fidelity, no matter who administered it. Whatever the Administration have a right under the Constitution and laws to demand or expect from the State Executive, should be promptly and exactly rendered. In short, I would adopt and thoroughly carry out

the two maxims upon this subject laid down by Mr. Jefferson in his inaugural in 1801 :—

“First. ‘The support of the State Governments in all their rights as the most competent administrators of our domestic concerns and the surest bulwarks against anti-republican tendencies.’

“Second. ‘The preservation of the General Government in its whole constitutional vigor as the sheet-anchor of our peace at home and safety abroad.’”

In a letter to a similar meeting a few days after, he says :—

“I counsel you, one and all, to stand by the Union, maintain the Constitution, support the Government, and obey the laws. But in the name and by the memory of your fathers, and as you would secure the blessings of liberty to yourselves and your children, I invoke you to defend the right of election and the ballot-box by all the means which the exigencies of the case may demand. The hour of your trial has at last come. Be firm and be ready. And God grant that the spirit of the patriots and freemen of other ages and countries, of the heroes of Greece and Rome, the spirit of Bruce and Tell, of Hampden and Sydney, of Henry, and Washington and Jackson, may be found to survive yet in the men of the present generation in America ; and thus that both the form and the substance of constitutional liberty and free popular government be still preserved and made secure among us.”

About the same time a meeting was held in New Lisbon. The following incident in connection with that meeting, we take from the *Wellsville Patriot* :—

#### “VALLANDIGHAM’S BIRTH-PLACE.

“As the Democratic procession in New Lisbon on Thursday last passed the residence of Mrs. Vallandigham, a comfortable two-story brick, surrounded with shade trees and tastefully arranged shrubbery, we observed suspended across the gateway a plain white muslin banner, bearing the simple inscription which stands at the head of this paragraph, and upon the grassy lawn, near the door of the old homestead, now rendered

dear to every freeman, stood the aged mother of Hon. C. L. Vallandigham, whose name and fame is familiar to the civilised world as the great apostle and champion of human rights during the reign of terror and high-handed usurpations of the Lincoln Administration. To Mrs. V., who is now more than 'three-score years and ten,' the 17th day of September, 1863, was a proud day. What must have been her feelings when she witnessed that every one, perhaps, of that great procession of freemen, as they passed that plain, unassuming banner, involuntarily sent forth their hearty huzzas in honor of her exiled and persecuted son! and that procession, long and enthusiastic as it was, was but a moiety of the honest sons of Ohio whose inmost hearts beat in unison with theirs. 'Vallandigham's Birth Place.' What associations crowd around it!—the once residence of an aged divine who has long since been gathered to his fathers, and now the residence of his widow, who, like the mother of Washington, imparted the nobleness of her own soul to her son. By her instructions in morals, in religion, in purity of purpose and honesty of intentions, from convictions of duty, she raised her son Clement; but little did she think when bestowing but a mother's care upon him, that before he had scarcely reached the meridian of life, that through official persecution and banishment from his native State and the home of his adoption, he would become the admired and beloved of millions. But such are the mysterious providences of God. Just in time for the Colonies to throw off the yoke of Great Britain, He gave an oppressed and tax-ridden people a leader who conducted them through a successful struggle of seven years for freedom, for liberty and independence; and it may be that He has sent us a second deliverer in the person of C. L. Vallandigham, from all those terrible wrongs and outrages which the people are now suffering at the hands of usurpation and arrogance. 'Vallandigham's Birth Place' is now consecrated and classical ground; and whether the terrible struggle through which this country is passing shall result in the triumph of freedom or despotism, the present century will not have passed into eternity until pilgrimages will be made from every point of the compass where the fire of liberty is unquenched, and sages and patriots will revere the spot and love to look upon it as every freeman does the hallowed grounds of Mt. Vernon and Monticello, the Hermitage, or Ashland."



The enthusiasm for Mr. Vallandigham, as exhibited in the tremendous outpourings of the people in every part of the State, greatly alarmed the Administration. But they determined that he should not be elected if force or fraud could prevent it. It was the design of the President at one time to attempt to control the election by force, as in Kentucky, and the suspension of the writ of *habeas corpus* in every State was the first step in that direction. But the firm front shown by the Democratic party, and their fixed purpose to resist by arms, if necessary, compelled him to change the scheme from force to fraud, and through the joint aid of secret "Union Leagues" and the War Department his success was complete. For although Mr. Vallandigham received a larger vote by many thousands than had ever before been given to a Democratic candidate for Governor of Ohio, yet the vote of the State was recorded against him by a very large majority. The friends of the Administration had repeatedly declared that they could better sustain the loss of a battle, or even of a whole campaign in the field, than to lose the political control of Ohio by his election, and they acted accordingly. Such stupendous frauds as they perpetrated had never been committed in any political canvass in the United States. Hundreds of soldiers that would have cast their ballots for Mr. Vallandigham were in one way or another prevented. Thousands of men who were not citizens of Ohio were allowed to vote against him; and whole companies of soldiers from other States boasted not only that they had voted in Ohio, but that at several different polls they had helped to swell the majority in favor of his competitor. The increase of the Democratic vote over that of 1862\* was 1132; the increase

\* The vote for Secretary of State, there being no election for Governor in 1862.

of the Republican vote over that of 1862 was 68,461! this being the home vote, not including the army vote, which would make the disparity of increase still greater, and furnish still clearer evidence of enormous frauds.

Under these circumstances Mr. Vallandigham's election was impossible. Nor is it believed that the election of any other Democrat would have been permitted. Mr. Vallandigham's peace principles may have deprived him of some votes, but not many. He was cordially supported by General George W. Morgan and other gallant officers in the army, though they did not endorse his views in regard to the war; and Democratic soldiers in general voted for him wherever the free exercise of the ballot was allowed them. In the 57th regiment, one of the most gallant regiments in the army, he received a majority of the votes cast, and in the State he received a larger vote by between twenty-five and thirty thousand than was given to the Democratic candidate for Governor two years before, who favored a vigorous prosecution of the war.

The result was immediately made known to Mr. Vallandigham, who the next day issued the following address to the Democracy of Ohio:—

*“Democrats of Ohio:—*You have been beaten—by what means it is idle now to inquire. It is enough that while tens of thousands of soldiers were sent or kept within your State, or held inactive in camp elsewhere, to vote against you, the Confederate enemy were marching upon the capital of your country.

*“*You were beaten; but a nobler battle for constitutional liberty and free popular government never was fought by any people. And your unconquerable firmness and courage, even in the midst of armed military force, secured you those first of freemen's right—free speech and a free ballot. The con-

spiracy of the fifth of May fell before you. Be not discouraged; despair not of the Republic. Maintain your rights; stand firm to your position; never yield up your principles or your organization. Listen not to any who would have you lower your standard in the hour of defeat. No mellowing of your opinions upon any question, even of policy, will avail anything to conciliate your political foes. They demand nothing less than an absolute surrender of your principles and your organization. Moreover, if there be any hope for the Constitution or liberty, it is in the Democratic party alone; and your fellow-citizens in a little while longer will see it. Time and events will force it upon all, except those only who profit by the calamities of their country.

"I thank you, one and all, for your sympathies and your suffrages. Be assured that though still in exile for no offence but my political opinions, and the free expression of them to you in peaceable public assembly, you will find me ever steadfast in those opinions, and true to the Constitution and the State and country of my birth.

"C. L. VALLANDIGHAM.

"*Windsor, C. W., October 14.*"

On the same day he wrote a letter to his wife, from which we make some extracts:—

"I am and shall remain as calm and unmoved as the unruffled waters of the river and the serene bright sunshine of this beautiful October morning. If you will be calm, my dear wife, and bear this light affliction with firmness, I shall not for myself suffer a moment's annoyance. For the present we can sojourn here, and I have made a most agreeable arrangement to occupy Mr. R.'s residence, *all furnished*, along with Col. S. I have enough to support me for a year to come. As to the future, *posterity will vote for me*, and there will be neither chance nor motive for violence or fraud. But I am confident also that after some time be passed I shall have justice and hold the power both. No man ever more than I learned the lesson 'to labor and to wait.' Two years ago few dared name me kindly: now millions praise, I will not say revere me. And yet I am but just entering upon the full vigor of mature manhood, and in the course of nature and the providence of God have many

years yet before me. I mourn, indeed, over what I but too plainly foresee to be the calamities near at hand for my country. She is about to add one more to the many lessons of history which teach us that no people ever recover liberty once surrendered, except in the baptism of blood. It seems to be a divine law that without shedding of blood there is no remission of the sin of political servitude. I am reminded of the last sentence of my speech of January last, 14th. I fear it will prove to have been prophetic. But I will not yield up hope till the last extremity. It is indeed a melancholy spectacle to see so many people eager to be made slaves, and all the rest overborne by fraud and violence. But there never was a nobler contest waged for liberty and the right than by the Democracy of Ohio. All cannot be lost as long as such men, so many in number and animated by such a spirit, survive. In one way or another they will regain all. . . . And now, my dear wife, be still of good cheer, be calm, be firm, and wait."

On the 14th of November a large body of the students of the University of Michigan paid Mr. Vallandigham a formal visit at Windsor. They were received by him in the dining-room of the Hirons House, which was well filled by a select audience, embracing many of the leading citizens of Windsor and Detroit. A correspondent of the Hillsdale *Democrat* thus describes the visit. After some preliminary remarks in regard to the occasion, the writer says:—

"We marched up to the Hirons House, where we found a room at our command, having been prepared for us by Mr. Vallandigham. We were conducted to the room by the gentlemanly proprietor, and as soon as we had all become seated, a side door opened, and the statesman, the martyr, and the exiled patriot of the nineteenth century, stood before us; exiled for no other reason than that of loving his country too well to stand idly by and not lift his hand or voice as he saw rights which were in accordance with the spirit and the policy of the Government—rights which were guaranteed not only by the Constitution of the United States, but by the Constitutions

of each and every State — rights which were held as dear to the people as their own lives, for without their rights, as the last two years have clearly shown, the ‘life, liberty and happiness’ of the people were worthless — grossly violated. I confess I was somewhat disappointed in the appearance of the man. I had expected a tall, rather slim, and a very proud-looking man — perhaps I may say fierce-looking, eccentric in manners and dress. But on the contrary I saw a man neatly and fashionably dressed, with smiling open countenance, and nothing about him very forcible or striking save his eye. I think I have never in my whole course of life seen an eye which was like it in every particular, — very large, full and round. It is constantly betraying the thoughts of his mind and the feelings of his heart. It gleamed and sparkled as he enumerated his wrongs; and it trembled and filled with a tear as he pictured his country in the future.

“A member of the class addressed him, telling him of our sympathising with him in his wrongs as a fellow-citizen, and of our appreciation of him as a fearless and conscientious champion of constitutional rights. Mr. Vallandigham then arose and essayed to speak, but could not; his lip trembled and a tear stood in his eye. He raised himself to his full height, and looked around for a single moment. That moment I never shall forget. There was not even a breath drawn — all was still as death. Perhaps it was weakness in me; if so, we were all weak, for there was not a dry eye in that large crowd. We saw before us a soul, generous, noble, true; a soul whose every throb was for his country; a soul that communed with every one present, conveying ideas clothed in the eloquence of a silence that drew tears even from reporters’ eyes. ‘Friends,’ said he. The spell was broken — his voice was again under his control; and for a full half-hour we sat there, never stirring, hardly breathing, listening with every faculty alive to catch the eloquent words which conveyed thoughts almost inspired. Perhaps it was the occasion, perhaps the emotion of the speaker, that had such an effect upon all present. I say, it *might* have been this that had such an influence over us that we were far from criticism. But I cannot attribute it wholly to this, but in part to a feeling of humbleness we all have when in the presence of a superior mind.

“Long will the participants in that excursion remember it.

Long will it be before they forget the mighty truths that a mighty man impressed upon them, in the sincerity, earnestness and eloquence of one who felt their worth."

Mr. C. A. Buskirk, on behalf of the students, delivered a most appropriate and eloquent address, to which Mr. Vallandigham made the following reply:—

"I thank you, young gentlemen, for this visit; I thank you, Sir, especially, Mr. Buskirk, for the compliments so handsomely expressed on behalf of your fellows. The applause of the young is the highest praise—they speak the language of the coming generation, and anticipate the judgment of posterity. To that judgment, if it so be that my name shall chance to live in the record of these times, I long since appealed: and, meantime, am willing to abide the scrutiny which must precede it. Without further personal allusion, therefore, in reply, allow me to pass to another subject, and if it be in my power, thus to change a visit of ceremony into one perhaps not altogether without profit.

"You are students. Some of you still pursue your classical and scientific studies; others prepare yourselves for professional pursuits; all of you are eager to rush into the great world and be men. Yet in a little while, when you have borne its buffetings with lusty sinews, not one of you but will exclaim with a sigh —

'Ah, happy years! I would I were a boy again.'

"But in the battle of life there is no retreat, and the brave spirits among you will press forward, and the weak falter and perish; and just in proportion as you are disciplined every way, you will be ready to meet whatever fortune may betide you. 'Redeem the time.' There is no injunction more suggestive. So many days and years you have in pawn to the Almighty Maker of heaven and earth; and those only are reckoned redeemed which are spent profitably either to the body or the mind. Youth is not the season for ease and pleasure, but for labor and self-denial. Whoever has practised these hardy virtues when a boy and in early manhood, will, at forty,

sound in mind and body, find the lawful and virtuous pleasures of life full of sweetness. Horace was right: *multa tulit fecitque puer*.

“The more ingenuous among you incur another, and widely differing hazard. You have endured heat and cold; have refrained from lust and wine; have abjured pleasure, or rather have found it in labor and study. Your vigils have ‘out-watched the bear.’ But youthful ambition is eager and impatient. It sees nothing but Fame’s proud temple, and forgets that it shines afar. It sees not the long and wearisome leagues of hill and valley, of forest and rock, of thicket and jungle, which lie between the goddess and her worshippers. It counts every moment’s delay and difficulty on the way as a moment lost. There is, indeed, a false goddess whose fame is near and easy of access. Hard by is the altar of Mammon. Fraud, falsehood and violence are their joint sibyls and priests. A tumultuous crowd of idolatrous and abject worshippers throng around. But notoriety is not fame, and her devotees soon perish. Not such let your ambition be, but rather that which Pope, and after him Lord Mansfield, proclaimed, ‘the pursuit of noble ends by noble means,’ and yours, too, that popularity which follows, not that which is run after. But to obtain this you must learn early that most difficult of all lessons—to labor and to wait. At twenty you think forty an old age. At forty, if you have disciplined your minds and not abused your bodies, you will find yourselves younger but far wiser than you are to-day; and the hour of your death will seem more distant and give you less concern. You will feel that there is yet a life-time before you; and if you are of a strong will and brave spirit, and worthy of a name to live, your past failures and defeats you will regard then as but probation and discipline, and indeed as so many assurances of final triumph. Press on! but not in haste. The master of Ravenswood chose a wise motto and not inapt coat of arms—a bull’s head, and ‘I bide my time.’ In one other thing be not mistaken. You are not about to finish your studies. When you take leave of the University you but begin them. No man ever attained great and enduring eminence without study, not always of books. Men of action have not leisure at all times for books. But they are students, nevertheless, of the men and things around them; and books are but the written records of things

and men remote, or of the past. But they have this advantage, that whatever they record has passed through the alchemy of the great minds by whom they were written. And, moreover, in them we study men and things, divested of the prejudices, of the bigotries, and the self-interested influences of that which is present in time or near in space. Especially is this true of history — the most amplifying, liberalising in its effect upon the mind and soul of all studies. He who remains a bigot in anything has read history to little purpose. And he who would comprehend the present and discern the future, must give his days and nights to this study. Prophecy uninspired is but history anticipated. Read history and learn that the patriot, the hero, the statesman, the orator whom you reverence or admire in the pages of Plutarch and Livy, or of Hume, Gibbon and Macaulay, was reviled and persecuted in his own day and suffered death, it may have been, at the hands of the men of his own generation. Ponder, too, the wisdom of Moses who before the pleasures and honors of the king's court preferred rather the Red Sea and forty years in the wilderness, and death and an unknown grave, that he might become a great law-giver and a founder of a new religion and of a powerful people.

“Most of you young gentlemen have read the usual course of ‘ancient classics.’ It is the fashion of our times to decry this study. But aside from the perennial pleasure through life which he receives who seeks these precious fountains, their practical value also will not be questioned by him who reflects that our whole language, and especially our scientific nomenclature, is derived largely from the Greek and Latin, and that our entire literature is pervaded by the spirit of these classics, and full of quotations and allusions drawn from them. Cicero’s magnificent eulogy upon the studies which Archias taught is not at all exaggerated when applied to the Grecian and Roman writings which have come down to us. If the modern sculptor study the Apollo Belvedere and the Dying Gladiator, why shall not the modern student learn the language of the men who chiseled these wonderful creations out from the solid marble? But most valuable as the mere discipline may be, it is not enough that you content yourselves with the usual course now prescribed in the school or the college. These writings must be a study more or less through life. Let not any one say



that he has 'no time.' There is always time and a way for whatever a strong-willed, diligent man may choose to undertake. What is most wanted is a judicious economy of time, and a wise division of it in the multiplicity of employments, so that but one thing shall be done at a time. A majority of you, young gentlemen, are preparing yourselves for professional pursuits. Whoever would become a Christian clergyman, let him preach the evangely of Bethlehem. Let him confine himself to his legitimate duties and aspire to be the most faithful and exemplary of the men of his calling. Whoever would practise surgery and medicine, let his ambition be to reach as near as possible or to excel the acquirements and skill of the great men who in ancient and modern times have been the ornaments of that profession. The *Novum Organum* of medicine remains to be written, and he who has to write it has not as yet appeared. Why should he not be an American? Why not adorn the University of Michigan? And you, young gentlemen, who prepare for the profession of law, will have a nobler theatre to act in than any who have gone before you in the United States. Out of the terrible revolution which now convulses every part of our unhappy land, will arise questions of constitutional and statute law, of personal liberty, of private right, of property, of life, grander, more numerous, more infinite in variety and more perplexing than heretofore in any age or country. If just now 'amid arms laws are silent,' in your day, at least, should free government happily in any form survive among us, arms will again yield to the toga and laws reign supreme. With diligence, therefore, fixed faith and unalterable purpose, prepare yourselves for the destiny which lies before you, to the end that in the next generation you may be among the number of those who upon the Bench and at the Bar shall restore and bear aloft to higher renown the already illustrious standard of British and American forensic learning and eloquence. Cowardice and servility before Executive power were the disgrace of the English bar and bench in the days of the Stuarts, and these, threatening now the honor and the independence of the American judiciary, are among the most alarming portents of the times. But remember that while along with the great Hampden the name of the honest and fearless Coke and of his noble wife still survive in honor, the time-serving and unjust judges who sat with him and yielded

to political expedience and 'military necessity,' have perished from history or are remembered only to be execrated. The blessed memory of Lord Hale is still fragrant; while the name of the bloody Jeffries, who escaped death upon the felon's scaffold only by dying miserably in a felon's cell, is the opprobrium of the English bench. Algernon Sydney died as a convicted traitor; but in a little while his execution was adjudged judicial murder, and posterity for six generations has held him in reverence as a patriot. Finch, King James the Second's Attorney-General, procured the conviction and death of the pure and virtuous Lord Russell as a conspirator against the Government; but eight years afterwards, when he would have relieved himself in Parliament from the odium of the act, the indignant clamor of the whole House forced him in shame and confusion to resume his seat, and Russell still lives in England and America as a martyr to liberty. Your courage, your fortitude, your manhood will also some day be severely tried. But then remember Curran, whose fame brightens just as the memory of the venal placemen and barristers around him rots with each revolving year, and who when menaced in court by a file of soldiers, clattering their muskets as he addressed the jury in defence of one charged with treason, exclaimed in manly defiance: 'You may assassinate, but you cannot intimidate me.' Read, too, the speeches and admire and imitate the heroic Erskine, the greatest of the English barristers, who against the whole power of the Executive in time of both foreign war and rebellion, maintained for years the rights and liberties of Englishmen with undaunted intrepidity. Prepare yourselves by continual study of the characters and noble emulation of the examples of these and other great and good men of the past for like scenes in your own day. Nerve your hearts now for the struggle. But remember that ability, however eminent, and intellectual discipline, however exact, are not enough. Without pure morals, correct habits and fixed integrity, you cannot endure the trial. Be virtuous, be pious; I use the word in no narrow, sectarian or theological sense, but in that which Virgil means when he calls *Æneas* 'pious,' a piety which belongs to no one sect, nor time, nor clime, nor country, but which everywhere and at all times renders to God, and self, and man, whatever is due, and does it in the very spirit of the Sermon on the Mount.

“But, young gentlemen, while I have thus addressed you as students, preparing yourselves for the ordinary business and professions of life, I well know that at any time many of you would be, and in times of such tremendous import as are just now upon us in our own country, all of you are profoundly interested in politics. Probably you give to them more of your thoughts than to any of your collegiate or professional studies. I know, too, that many of you even now look eagerly forward to the time when you will pass from your professions into political life. That is the goal of your ambitious longings. Your hearts are fixed upon it. It is an honorable, a holy ambition; an ambition not to be extinguished, but to be regulated. He is a false teacher who would tell the ingenuous, virtuous and public-spirited youth of the country that the political service of that country is fit only for the vulgar, the impure, the corrupt. As there are hypocrites in the pulpit, empirics in medicine, pettifoggers at the bar, and pretenders everywhere, so there are demagogues in political life. But there is as well a morality, a philosophy, a science in politics far above the circle of these reptiles. Unhappily the low standard of capacity and morals set up and denounced by those who decline public life, and practically but too often acknowledged by politicians, is another of the evil portents which threaten our country. Of the corrupting influences of avarice at all times I need not speak. But more debasing and dangerous still, in seasons of great public commotion, is the execrable vice of fear. All these combined make up that most loathsome of all the objects of reproach and scorn, a ‘scurvy politician.’ He has borne the same odious character in every country and age. Among the Greeks he once courted popularity or place by pointing out the smugglers of figs, and was cursed as both spy and informer, and thence gave a name to the whole class of demagogues. In Rome he headed every petty popular tumult, and clamored fiercely for a division of lands and goods. Curran described him in his day in felicitous phrase as ‘one who, buoyant by putrefaction, rises as he rots.’ He is the vermin, the insect of politics, and amid the heats of civil war and convulsion, turns into life thick as gnats in the summer evening air. If any among you—and I speak to those who would aspire to be leaders among their countrymen—have neither the capacity nor the ambition to be statesmen, let him at least not stoop to become

a demagogue. Preach, heal, try causes, work, but scorn to be one of that number who know nothing of politics except the passions and personalities which they excite. If not able to argue upon principles, measures, policies, debate not at all. If you cannot soar, do not creep. Whoever discusses only men in politics is always largely a slanderer.

"Principles, not men, is not indeed altogether a sound maxim, though little, liable to be abused, since personalities always make up so large and controlling an element in mere partisan politics. Better say, principles and men. It is easy to be a politician or demagogue—sail with the wind, float with the current, look not to the compass, neither lift up eyes to the heavens where the constellations and the pole star, bright, glorious emblems of God, and truth, and the right, still shine steadfast, immovable, just as they shone in the beginning of time. *Poeta nascitur*. So it is with the demagogue. But the statesman must be made as well as born. His voyage is through mid-ocean and in storm. He sails under orders. His port is ascertained and prescribed before he sets out, and it is his duty to reach it; and so, like the majestic ocean steamer, he sails on, and

‘Against the wind, against the tide,  
Still steadies with an upright keel.’

"Demosthenes, more than two thousand years ago, in his great oration for the crown, well distinguished between these two characters, declaring that while they were alike in nothing, they differed chiefly in this: that the statesman boldly and honestly proclaimed his opinions before the event, and thus made himself responsible to fortune, to the times, to his countrymen, to the world; while the sycophant or demagogue was silent till the event had happened, and then governed his speech and his conduct accordingly. And now allow me to add, that though you may be patriots and yet not statesmen, the great statesman is always a patriot. His love of country is as well a principle as an emotion. Duty enters largely into it, hence it is stable, enduring. It is not sensational, certainly not a mere feeling of gratitude; least of all in the meaning of that word, as defined by Dr. Johnson, ‘a lively sense of favors yet to be received.’ He loves his country both wisely and well. He never sacrifices her real though remote interest to a popular clamor, and still less at the demand of those who hold the

power. Neither will he corrupt the virtue nor tarnish the honor of his country to serve her mere sordid interests. Rather will he imitate the example of Aristides, who, reporting to the Athenians that a certain proposition was indeed for their immediate advantage but would bring dishonor upon the State, counselled that they would reject it.

“I have said nothing about ‘loyalty.’ It is a word which belongs justly but only to kingly governments. I can comprehend loyalty to a king, and especially to a queen, but as an American I choose to adhere to the good and honest old republican word ‘patriotism,’ and to cherish the virtue which it has always been used to express. Aspire, then, young gentlemen, you who would pursue a public course, to be patriot statesmen. Have faith—absolute, unquestioning, immovable—that faith which speaks to itself in the silence and calm of the heart’s own beating, saying, if not to-day or this time, then to-morrow, or next, or some other day, at some other time, in some other way, all will be well. Without this no man ever achieved greatness. Be incorruptible in your integrity, be inexorable in your deliberate, well-considered purposes, be appalled by no difficulties. Amplify your minds, but still more, be great in soul. It is this which shall lift you up high above the earth, and assimilate you to that which is divine. Without it, you will but creep with dusty and drooping and wearied wing. Without it, think not to endure that cruel and crushing weight of doing and suffering which he must bear who faithfully and with heroism, at any time, but most of all in periods of great public convulsion, would act the part of the patriot statesman.”

At Niagara Falls, as we have already intimated, Mr. Vallandigham was daily overwhelmed with visitors from every State, and the throng was but little diminished at Windsor. Spies, too, beset him at every step, but to no purpose. The Administration seemed to be afraid of him. The United States gunboat *Michigan*, with loaded cannon and steam up, lay opposite his bedroom window for four weeks, while a score of detectives, provided with his photograph, kept watch in every public place.

The political canvass being over, Mr. Vallandigham devoted much of his time to reading and study. In a letter to a friend, written in November, he thus describes his daily way of life:—

“I am here as calm, as determined, as steadfast, and as hopeful as ever, and as busy too. I am reviewing history and political philosophy; dipping a little into the ancient classics again; making notes and memoranda of the times; writing letters; and closely, day by day, watching the course of events at home and abroad; ready for any fortune, and I hope equal to it. I see many visitors also, and spend not an idle moment, for my recreations, riding, walking, fishing, hunting, &c., I do not count idleness.”

In a letter to his brother James, dated January 16th, 1864, he says:—

“I thank you for the faith you express in my future. To the testimony of my own conscience and the judgment of other ages, and of the present generation ‘after some time be past,’ I long since delivered myself; and I calmly dwell now in the present, awaiting the times which are to come. . . . Mean-time, while in exile or at home, till the time for action shall come, I will with faith and patience devote myself to those studies and pursuits which shall fit me for whatever Providence may have yet designed for me. Here I accommodate myself to circumstances and make myself as comfortable as possible. I have some excellent friends here and in Detroit, and what time I am not occupied with them and in exercise, I devote to my books — some of the best of which I have had sent from my own library to me here. Indeed, scarce ever in my life have I had so fine a chance for study, and I am improving it to the utmost. I hear from home by letter every few days, and from all parts of the country by newspaper every day. . . . Money I have now all that I shall need for some time. So ‘the Lord’s my shepherd: I do not want,’ and literally he is ‘furnishing my table in the presence of my foes.’”

In this spirit, and engaged in these pursuits, Mr. Vallandigham in exile passed the winter and spring of 1864, awaiting a favorable opportunity, which he felt persuaded would come, to return to his beloved country and his cherished home.

## CHAPTER XIV.

### RETURN FROM BANISHMENT.

ON the morning of the 5th day of May, 1863, Mr. Vallandigham was violently torn from his home, and after an illegal and unjust trial was sent into banishment: on the evening of the 15th day of June, 1864, he returned — of his own accord returned, and was once more sheltered beneath his own roof, in the bosom of his own family.

The circumstances attending his return were highly interesting and exciting: before narrating them, however, we will give an account of an attempt he made to return some eight or nine months before; and for this account we are indebted to Dr. J. A. Walters, of Dayton. In a letter, dated October 7th, 1871, he says:—

“Yours was duly received, in which you wish to know (in consequence of my long intimate and confidential relations with the Hon. C. L. Vallandigham) if I have not some secret or private political history of him that would be of interest to the public, and that might now be properly made known; and if so, whether I would not furnish it to you for publication. Mr. Vallandigham, as his most confidential friends all know, had very little private or secret history as regards himself. He always appeared to move from fixed principles, and these principles were the same in private as in public. However, in looking over my papers I find several things that may be of public interest known only to myself. Inclosed you will find some papers from him that you are at liberty to use. if

you think them of sufficient public interest. But with a view to a proper understanding of the circumstances which gave rise to these papers, it will be necessary for me to give a short explanation.

"All history gives account of premonitions, unseen influences which actuate men for good or for evil. The Bible speaks of guardian angels that watch over us, and of course impress us for our own good or for the good of others. Scarcely any of us but do acts for which we are unable at the time to give a reason, but which in due course of events is made to appear plain. This apparent digression will explain itself as we progress.

"Mr. Vallandigham arrived in Windsor, Canada, opposite Detroit, about the 24th day of August, 1863, and took rooms at the Hiron House. In the fore-part of September following, I, in company with a friend, spent several days with him at his new quarters. In a few weeks after my return home, I began to feel an almost irresistible desire to visit him again; yet I knew of no reason why I should. I had nothing new to communicate to him, neither could I conceive that he had anything of interest to communicate to me. I would reason myself into the belief that it was worse than folly for me to visit him under the circumstances, having been there only a few weeks before. I tried to banish the idea from my mind, but it would not down at my bidding; and the promptings to go appeared to strengthen with my desire to get rid of them. Yielding to these strong and apparently irresistible influences, I again visited him on the 29th of September. I got there in the night, and found him in his room with a Mr. P. of Detroit, to whom he introduced me, and said, 'Mr. P., this is a confidential friend of mine, with him everything is safe; we will communicate to him our entire business, and hear what he thinks of it.' He then stated that he had just completed an arrangement with Mr. P. by which he would be in Toledo on the night of October 1st; that on that day he was going sixteen miles below Detroit, on the Detroit river, Canada side; and that Mr. P. was to station horses for him every ten miles, on the opposite side of the river, to Toledo; that he would cross the river in the night, and go through to Toledo in time for the train to Lima the same night. Said he, 'Voorhees, Merrick, and others, speak in Toledo on the evening of that day, and they speak in Lima on the next day, and I intend to



speaking at that meeting with them, and from thence continue to stump the State until the election. I have,' continued he, 'just as good a right to stump the State as Brough, and am determined to do it. Now,' said he, 'we will hear what you have to say to this determined purpose of mine to vindicate, as I claim, a sacred and constitutional right which no citizen should ever yield but with his life.' I have no recollection of ever feeling in all my life such an irresistible determination to prevent any act or occurrence as I did to prevent him from the execution of these plans, as I firmly believed their execution could result in nothing but disaster to himself, if not to the peace and quiet of the State. I replied immediately, and with as much force as I could command, that so sure as he did cross into Ohio he was a dead man; that the wild and almost demoniacal influence which always takes possession of a portion of the people in time of war had, by the action of the Administration press, been all turned against him; that under this influence I believed thousands stood ready to take his life, and would do it with a conscientious belief that they were doing God and their country service. Mr. P. left and we continued the subject until twelve o'clock that night, and more or less all the next day. I used every argument and resorted to every device that I thought would in any way bear upon the case, but all to no effect. The arrangements were all made, and go he would, to vindicate a right which he claimed was nearer and dearer to him than life itself. That evening I bade him good-bye, and went down to the river with a view of crossing for home, but did not feel satisfied; and while waiting for the Canada train to come in, I resolved to return and spend another night with him, and see if I could not make some impression on him that might turn the scale in his attempt to cross. I did so, and argued the case all over again, but with no better success. The next morning when I took leave of him, I remarked with much feeling and great earnestness that I hoped to God a storm would come up that evening by which he would be prevented from crossing the river. He replied that he believed very much in special providences, and that if an occurrence of that kind should take place he scarcely knew what his action might be. This was the first evidence he exhibited that anything could swerve him from his purpose, and showed that while he was apparently unyielding to all

human influences, he was ready to yield to what might be a providential manifestation. Before I left he handed me a written address to the people of Ohio (which you will find enclosed), and requested me so soon as I heard by telegraph or otherwise of his crossing into Ohio, to hand it to his nephew, James L. Robertson, and have him publish it in the *Dayton Empire*, and send copies to the leading papers throughout the State.

"About ten o'clock that day it commenced storming and raining, and continued throughout the entire day and into the night. He went down in the afternoon of that day through the storm to the intended place of crossing. The river at this point is about a mile and a quarter wide, and having no other way of crossing but a small skiff, with the waves running high, and in the night, the crossing would be in the highest degree hazardous; and no doubt it appeared to him in connexion with what I had said, a providential interposition to save his life for some future usefulness to his country, and he did not make the attempt.

"The next morning I received the following despatch from Mr. P.:—

"DETROIT, October 2, '63.

"*Mr. J. A. Walters:*

"The cider can't be sent.

P."

"The next day I received the following letter from Mr. Vallandigham:—

"(Private.)

WINDSOR, CAN., Oct. 2, '63.

"*My Dear Doctor:*—

"The storm was a more successful logician and counsellor than you; so here I am awaiting results. But, mind now, I depend on you, and all of you, to make *extra exertions* to bring Dayton and Montgomery County up to the highest mark. I have written Pugh to be positively at D. on the 10th. Now, Doctor, go to work, and telegraph me good news on the 13th.

"Truly, C. L. VALL."

Mr. Vallandigham was a firm believer in Providence, and judging from this providential hindrance that the time for him

had not yet come, he resolved to patiently wait a little longer. Besides this, he knew that his friends had determined to bring his case before the Supreme Court of the United States in the winter, and though he was not sanguine as to the result, he considered it his duty to do nothing further till that result should be known. He had confidence in the Court, but his case was of so extraordinary a character that he supposed it most probable that no provision for its legal redress had ever been made, the early framers of our Constitutions and laws not foreseeing or deeming it possible that such a wrong as that to which he had been subjected would ever occur under our free institutions. He was right in his conjecture, for such substantially was the decision of the Court.

He now determined himself to redress the wrong that had been inflicted upon him, to recover the liberties of which he had been deprived, the rights which had been illegally and violently taken from him, or perish in the attempt; and only awaited a favorable time. That time at length came, and the stratagem to which he resorted to accomplish his perilous purpose we will now briefly detail.

On the night of the 14th of June, 1864, he was in his room at the Hiron House. He was alone, and actively engaged in packing a satchel, as if in preparation for travel. His face was thoughtful, and the lines of resolution about his mouth seemed deepened. As he stood before the mirror a little later, gravely looking in as one in deep thought, he appeared of firmly knit but not heavy figure, in fact with no superfluous flesh — his stature about five feet and ten inches, his complexion fresh and blooming, clear bright blue eyes, over-arched by not very heavy brows, a Roman nose, a rather closely trimmed dark beard, and

no moustache. A few moments after he stands before the same mirror, but there is a change. He is now a man of heavy, corpulent appearance; in height apparently under the medium standard; eye-brows heavy and dark, casting so deep a shadow upon the eyes gleaming out from beneath them as almost, it seemed, to darken them. A thick moustache swept the upper lip, totally changing the expression of the mouth, and a long flowing beard fell in a huge mass upon his bosom, converting him, "like Esau of old, into a hairy man." A large pillow taken from the bed had given the "Falstaffian proportions" to Mr. Vallandigham's naturally lithe and graceful figure, and for the luxuriant beard, moustache, and darkened eye-brows, art had lent her aid. The pillow beneath the waist-coat, however, was the wearer's own invention, and most efficient did it prove in rendering his *incognito* complete. And now a long folded leaf is turned, and the world at last knows the history of Mr. Vallandigham's disguise when he made the famous trip from Canada to Hamilton, Butler County, Ohio.

Just as the train came in which connected with trains going southward on the American side of the Detroit river, the fat man emerged from the shadows in the rear of the lower part of the hotel, and through the back-yard reached the street, and soon joined the passengers crowding towards the boat which connected Her Majesty's dominions with the United States. Mr. Vallandigham comfortably esconced himself on the vessel. No one knew him; and here it is proper to say that no one in Hamilton, Ohio, nor anywhere else in all the world, did know that he was to be in Hamilton upon the 15th day of June, 1864. He had counselled with no one, and he had told no one of his intentions nor of his plans, and his arrival in that city was as unexpected to his friends as it was to his enemies.

When the American side was reached he calmly prepared to leave the boat, and with the rest of the passengers was passing through the necessary formalities with the United States officers upon reaching the shore, when one of the officers came up and said: "See here, old fellow, that won't do, you have got contraband there," as he punched him with his fingers in the rotund abdomen. Mr. Vallandigham was a man of nerve, but for a moment he was taken aback. Before he could reply, the officer, for some reason convinced that he was wrong, said: "Pardon me, I see I am mistaken; but I have to watch for tricks." Mr. Vallandigham simply bowed and passed on; the pillow had served well its purpose, it had answered an inquiry as if it had been flesh and blood. Into the streets of Detroit then he went, and he had not been there more than ten minutes before he was arrested for the violation of a petty municipal regulation. The officer who arrested him said: "Come here to the light; let me look at you." They both stood together under the gas-light, and both eyed each other sharply and intently; at last the policeman said: "Well, you look like an honest man and a gentleman." With much earnestness and strong emphasis, looking his captor steadfastly in the eyes, Mr. Vallandigham replied: "Sir, I am an honest man and a gentleman." The policeman, after a moment's hesitation, said: "Then it's all right, you can go." With light heart, bidding a cheerful good night, Mr. Vallandigham wended his way to the dépôt. Necessarily there he had to speak a few words. The first time he spoke he noticed a man turn quickly and look at him; he returned the glance, saw it was a colored man, and then turned away. When he got upon the train the same man came up to him and whispered in his ear: "I know your voice, but you

are safe from me." Many years before Mr. Vallandigham had performed a favor for this man, had done him a kindness which had never been forgotten; and so on that night, by the gratitude of an humble negro, the great leader of the Democratic party was preserved from arrest. In a short time he was snugly wrapped up in a berth of the sleeping-car, and swiftly flying through the darkness toward his beloved home in Dayton. But there he did not stop; steadfast in his determination to be present at the Convention, he stilled the yearnings of his heart, overcame the earnest desire to stop and see his loved ones at home, and did not leave the sleeping-car until on the morning of the 15th the city of Hamilton was reached.

John A. McMahon, Esq., in a letter dated "Dayton, Oct. 6, 1871," gives an account of his arrival and reception:—

"Our district was met in convention at Hamilton to select a delegate to the Chicago Convention. Mr. Vallandigham desired to be nominated, as we thought, for the purpose of having an excuse to return. There was some vigorous opposition to his selection as a delegate by a few of the more timidly inclined. While the Montgomery County delegation were discussing the matter in caucus, a messenger came in and handed me a note pretty much after this style:

"*To J. A. McMahon or William H. Gillespie:—*

"I am in town, and will speak at the Court House at 2. Get out handbills.

"C. L. VALLANDIGHAM."

"This ended all strife, producing wonderful commotion. For a few moments all were quiet, but after the news spread the wildest enthusiasm began to prevail. The handbills were struck, couriers went to the country in every direction, and by 2 o'clock or a little later a large and uproarious, and I may say determined crowd, had assembled. Mr. Vallandigham spoke

with extraordinary vigor, and the people responded with sympathetic ardor.

“After the meeting was over, the question was presented as to his journey home. Some friends had arranged for his conveyance by carriage. But some of us insisted that his conduct should now be all open and above-board. He was in Ohio, and should take the train like any other citizen. This was his own preference. It was arranged that a friend should signal from below Hamilton if soldiers were on the train. The expectation was that a regiment would be sent by the officer in command at Cincinnati; but it did not come. Mr. Vallandigham and his friends took possession of one car, and came home in fine style and spirits. The news having spread, carriages were at the dépôt to receive them, and they drove up Main street to his home. The throng that crowded First street from that time until a late hour in the night was immense.

“The question was discussed at Dayton and Columbus as to the policy of an arrest, but the temper of the people was too dangerous to be trifled with. Wiser counsels prevailed. It is said—and I believe upon good authority—that when Mr. Lincoln was considering the question of his return, he asked an Ohio Senator what he thought of a re-seizure of Mr. Vallandigham. The Senator asked Mr. Lincoln if he was ready to transfer the Army of Virginia to Ohio; if not, the attempt had better not be made.

“I am sure that an attempt to re-arrest Mr. V. would have led to general and violent resistance, the consequences of which the wisest could not now imagine.

“No one, not a living soul that I have ever met, knew of Mr. V.’s contemplated return. He dropped into Hamilton as from the skies.”

Another writer gives the following account:—

“The Convention was organised at 1 o’clock, in the midst of great excitement. A rumor began to be whispered around that Vallandigham was on his way there, and would speak in the afternoon. This was thought by all to be a canard, and even the most credulous treated it as such; still it excited the minds of the people, and they began to crowd around the court-room. At half-past one a messenger brought a despatch saying that

Vallandigham would be there soon. This was succeeded by a tumult of wild excitement; applause after applause rent the air, until the walls of the old court-house fairly trembled from reverberating back the sounds. Everything and everybody were on the *qui vive*.

"The Chairman, after repeated calls at the top of his voice, finally succeeded in restoring partial order; when it was proposed that the rules governing the Convention be dispensed with, and the delegates elected by general acclamation. This seemed to be very gratifying to every one, as it hastened the terminus of the proceedings. Nominations were then made, and the Hon. C. L. Vallandigham, of Montgomery, and C. Hughes, of Butler, were elected delegates, and George W. Houk, of Dayton, and D. W. Van Dyke, of Warren, alternates, with Judge Gilmore, of Preble, as the elector, to represent the Third Congressional District at Chicago.

"Before the business of the Convention was completed, however, the shout was raised that Val. was coming, and a rush was made to meet him. With great difficulty he made his way through the throng of people that gathered around him, sometimes borne upon their shoulders, then half walking, half carried until he reached the platform. The meeting of the Convention was then closed in the midst of excitement, and the distinguished 'exile' conducted to a stand erected in the court-yard, where he delivered a short address to the immense crowd of people who by this time had gathered to hear and see him; and being once more upon the soil of his native State—in his own District, where for three successive terms he had been the choice of the people to represent them in the National Congress—Mr. Vallandigham said:—

"*Men of Ohio* :—To-day I am again in your midst, and upon the soil of my native State. To-day I am once more within the District which for ten years extended to me the highest confidence, and three times honored me as its Representative in the Congress of the United States. I was accused of no crime against the Constitution or laws, and guilty of none; but whenever and wherever thus charged upon due process of law, I am now here ready to answer before any civil court of competent jurisdiction, to a jury of my countrymen, and in the meantime to give bail in any sum which any Judge or court,



State or Federal, may affix ; and you, the hundred and eighty-six thousand Democrats of Ohio, I offer as my sureties. Never for one hour have I remained in exile because I recognised any obligation of obedience to the unconstitutional and arbitrary edict, neither did personal fear ever restrain me. And to-day I return of my own act and pleasure, because it is my constitutional and legal right to return. Only by an exertion of arbitrary power, itself against the Constitution and law, and consummated by military force, I was abducted from my home and forced into banishment. The assertion or insinuation of the President that I was arrested 'because laboring with some effect to prevent the raising of troops and to encourage desertion from the army,' and was responsible for numerous acts of resistance to the draft and to the arrest of deserters, causing 'assassination, maiming and murder;' or that at any time, in any way, I had disobeyed or failed to counsel obedience to the lawful authority, or even to the semblance of law, is absolutely false. I appeal for the proof to every speech I ever made upon those questions, and to the very record of the mock Military Commission by the trial and sentence of which I was outraged. No ; the sole offence then laid to my charge was words of criticism of the public policy of the Administration, addressed to an open and public political meeting of my fellow-citizens of Ohio lawfully and peaceably assembled. And to-day my only 'crime' is, that in the way which they call treason, worship I the Constitution of my fathers. But for now more than one year no public man has been arrested, and no newspaper suppressed within the States adhering still to the Union, for expression of political opinion ; while hundreds, in public assembly and through the press, have with a license and violence in which I never indulged, criticised and condemned the acts and policies of the Administration, and denounced the war, maintaining even the propriety and necessity of the recognition of Southern independence. Endorsed by nearly two hundred thousand freemen of the Democratic party of my native State at the late election, and still with the sympathy and support of millions more, I do not mean any longer to be the only man of that party who is to be the victim of arbitrary power. If Abraham Lincoln seeks my life, let him so declare ; but he shall not again restrain me of my personal liberty, except upon 'due process of law.' The unconstitutional and monstrous 'Order

No. 38,' under which alone I was arrested thirteen months ago, was defied and spit upon at your State Convention of 1863 by the gallant gentleman who bore the standard as your candidate for Lieutenant-Governor, and by every Democratic press and public speaker ever since. It is dead. From the first it was against the Constitution and laws, and without validity; and all proceedings under it were and are utterly null and void and of no effect. The indignant voice of condemnation long since went forth from the vast majority of the people and press of America, and from all free countries in Europe, with entire unanimity. And more recently, too, the 'platform' of an earnest, numerous and most formidable convention of the sincere Republicans, and still further, the emphatic letter of acceptance by the candidate of that Convention, General John C. Fremont, the first candidate also of the Republican party for the Presidency eight years ago, upon the rallying cry of Free Speech and a Free Press, give renewed hope that at last the reign of arbitrary power is about to be brought to an end in the United States. It is neither just nor fit, therefore, that the wrongs inflicted under 'Order Thirty-Eight,' and the after-edicts and acts of such power, should any longer be endured — certainly not by me alone. But every ordinary means of redress has first been exhausted; yet either by the direct agency of the Administration and its subordinates, or through its influence or intimidation, or because of want of jurisdiction in the civil courts to meet a case which no American ever in former times conceived to be possible here, all have failed. Counsel applied in my behalf to an unjust judge for the writ of *habeas corpus*. It was denied; and now the privilege of that writ is suspended by Act of Congress and Executive order in every State. The Democratic Convention of Ohio, one year ago, by a resolution formally presented through a committee of your best and ablest men, in person, at Washington, demanded of the President, in behalf of a very large minority of the people, a revocation of the edict of banishment. Pretending that the public safety then required it, he refused, saying at the same time that 'it would afford him pleasure to comply as soon as he could by any means be made to believe that the public safety would not suffer by it.' One year has elapsed, yet this hollow pretence is still tacitly asserted; and to-day I am here to prove it unfounded in fact. I appealed to the Supreme Court of the

United States ; and because Congress had never conferred jurisdiction in behalf of a citizen tried by a tribunal unknown for such purposes to the law, and expressly forbidden by the Constitution, it was powerless to redress the wrong. The time has therefore arrived when it becomes me, as a citizen of Ohio and of the United States, to demand, and by my own act to vindicate, the rights, liberties and privileges which I never forfeited, but of which for so many months I have been deprived. Wherefore, men of Ohio, I am again in your midst to-day. I owe duties to the State and am here to discharge them. I have rights as a citizen, and am here to assert them : a wife and child and home, and would enjoy all the pleasures which are implied in these cherished words. But I am here for peace, not turbulence ; for quiet, not convulsion ; for order and law, not anarchy. Let no man of the Democratic party begin any act of violence or disorder ; but let none shrink from any responsibility, however urgent, if forced upon him. Careful of the rights of others, let him see to it that he fully and fearlessly exact his own. Subject to rightful authority in all things, let him submit to excess or usurpation in nothing. Obedient to Constitution and law, let him demand and have the full measure of protection which law and Constitution secure to him.

“ *Men of Ohio* :— You have already vindicated your right to *hear* : it is now my duty to assert my right to *speak*. Wherefore, as to the sole offence for which I was arrested, imprisoned and banished, free speech in criticism and condemnation of the Administration, an Administration fitly described in a recent public paper by one of its early supporters, ‘ marked at home by disregard of constitutional rights, by its violation of personal liberty and the liberty of the press, and, as its crowning shame, by its abandonment of the right of asylum, a right especially dear to all free nations abroad : ’ I repeat here to-day, and will again, and yet again, so long as I live, or the Constitution and our present form of Government shall survive, the words then spoken and the appeal at that time made, and now enforced by one year more of taxation and debt, and of blood and disaster, entreating the people to change the public servants and their policy, not by force, but peaceably, through the ballot. I now and here reiterate in their utmost extent and with all their significancy, I repeat them, one and all, in no spirit of challenge or bravado, but as earnest, sober, solemn truth and warning to the people.

“Upon another subject allow me here a word.

“A powerful, widely spread and very dangerous secret; oath-bound combination among the friends of the Administration, known as the ‘Loyal Union League,’ exists in every State; yet the very men who control it charge persistently upon the members of the Democratic party that they have organised—especially in the Northwest—the ‘Order of Knights of the Golden Circle,’ or some other secret society, treasonable or ‘disloyal’ in its character, affiliated with the South, and for the purpose of armed resistance to the authority of the Federal and State Governments. Whether any such ever existed I do not know; but the charge that organizations of that sort, or having any such purpose, do now exist among members of that party in Ohio or other non-slaveholding States, is totally and positively false. That lawful political or party associations have been established, having as their object the organising and strengthening of the Democratic party, and its success in the coming Presidential election, and designed as a counter-movement to the so-called ‘Union Leagues,’ and therefore secret in their proceedings, is very probable; and however objectionable hitherto, and in ordinary times, I recognise to the fullest extent not the lawfulness only, but the propriety and necessity of such organizations; for ‘when bad men combine, good men must associate.’ But they are no conspiracy against the Government, and their members are not conspirators, but patriots—men not leagued together for the overthrow of the Constitution or the laws, and still less of liberty, but firmly united for the preservation and support of these great objects. There is indeed a ‘conspiracy’ very powerful, very ancient, and I trust that before long I may add strongly consolidated also, upon sound principles and destined yet to be triumphant—a conspiracy known as the Democratic party, the present object of which is the overthrow of the Administration in November next, not by force, but through the ballot-box, and the election of a President who shall be true to his oath, to liberty, and the Constitution. This is the sole conspiracy of which I know anything; and I am proud to be one of the conspirators. If any other exist, looking to unlawful armed resistance to the Federal or State authorities anywhere in the exercise of their legal and constitutional rights, I admonish all persons concerned that the act is treason and the penalty death. But I warn also the men in

power that there is a vast multitude, a host whom they cannot number, bound together by the strongest and holiest ties, to defend by whatever means the exigencies of the times shall demand, their natural and constitutional rights as freemen, at all hazards and to the last extremity.

“Three years have now passed, men of Ohio, and the great issue, Constitutional Liberty and Free Popular Government, is still before you. To you I again commit it, confident that in this the time of their greatest peril you will be found worthy of the ancestors who for so many ages in England and America, on the field, in prison and upon the scaffold, defended them against tyrants and usurpers, whether in council or in arms.”

The welcome which Mr. Vallandigham received from the Democracy of the whole country was of the most cordial and enthusiastic kind. The following from the *Philadelphia Age* reflects the spirit of the Democratic press throughout the Union :—

“Mr. Vallandigham has returned from exile in Canada, to his home in Dayton, Ohio. He should be welcomed by every true friend of constitutional liberty. He has been a martyr for those great principles which underlie our republican form of government, and for his bold advocacy of them has been punished by a process unknown to the law. We are sure that every Democrat is glad that Mr. Vallandigham has thus cut the Gordian knot and brought the Lincoln Administration squarely to the issue. We will now have the great question tried whether a military tool of a fanatical party has the right to seize a citizen and send him into exile. If Mr. Lincoln allows Mr. Vallandigham to remain in Ohio unmolested, he virtually acknowledges that the arrest and punishment by military commission was an outrage. If, on the contrary, Mr. Lincoln sends his minions to again arrest Mr. Vallandigham, he will provoke a new contest. The Democracy of Ohio and Illinois have pledged themselves to protect the exile against everything but judicial process, and no ruler with a Southern rebellion on his hands will dare to trifle with the feelings of the millions of the West.

"Already the fanatics are beginning to urge a second arrest of Mr. Vallandigham. Not satisfied with the blood already spilled, they wish to spread the desolation of war further. A free citizen is arrested for no crime, and after a mock trial by an illegal tribunal, is sent out of the country. He returns again; finding that the Government will not repair the wrong done, he falls back upon his reserved rights, and does it himself. He returns to his country, and receives a welcome, spontaneous and heartfelt, before which the tinsel and hollowness of his oppressor's reception in Philadelphia pales. He goes to his home, and his fellow-citizens resolve to stand by him. In Illinois they endorse the determination of their Ohio brethren; and now, if another outrage is attempted, the people who for so long submitted to insult and oppression, will defend their rights and liberties with their own hands. We think Mr. Lincoln will quail before the firm front of the West. Mr. Vallandigham will be unmolested. The joker and his party will be too cowardly to try a new outrage.

"Mr. Vallandigham goes to the Chicago Convention, to which he has been elected as delegate, with great *eclat*. To represent a constituency who desire free speech, he braves all the bayonets and bastiles of the Abolition party. We know he will do his whole duty at the Convention, and that every delegate will extend a welcome to the man who has, perhaps, made more sacrifice for his principles than any other patriot in America. The great Democratic party must support him. He has done only what was right. He has committed no wrong, been guilty of no crime. He has acted only as a free citizen of a free country should do; and if the Administration again attempt its injustice, it will find there are millions of men in the North as free, as bold, and as determined as Mr. Vallandigham."

The New York *News* thus notices his return:—

"His presence before the Convention created general surprise and the most unbounded enthusiasm. Every link between himself and his fellow-citizens seems to have been strengthened by exile. He spoke in the public square at Hamilton, in the same manly vein and in the same spirit of independence and patriotism that were his characteristics before

he was kidnapped from his home by the military power. His martyrdom has not cooled the ardor of his patriotism nor enfeebled the vigor of his eloquence. He was banished for uttering truths that were unpalatable to the Administration, and he has marked the day of his return by repeating the offence against tyranny. We do not know what action the Administration propose to take in regard to his return, but we are convinced that popular opinion will protect him in the exercise of his rights as an American citizen."

Mr. Vallandigham came home with the intention of staying. Had any attempt been made to violently and illegally arrest him, he would have resisted. Within the Union and under the Stars and Stripes he would have fought for his constitutional rights, and a million of brave men would have flocked to his standard and gallantly sustained him. This the Administration knew, and wisely forbore to molest him.

A few weeks after his return, Mr. Vallandigham met with a sore domestic affliction in the death of his revered and beloved mother. Hearing of her illness he was anxious to visit her, but though secure at home, surrounded and guarded by his friends, it was not yet considered safe for him to travel. Unable to see her, he wrote her the following letter:—

‘DAYTON, OHIO, July 7th, 1864.

*“My dearest, dear Mother:—*

*“That I cannot with safety start to see you in your present illness, is the sorest of afflictions. But while I feel perfectly secure here, I think the Administration would be but too glad to find me alone at a distance from home. This danger too will pass by before long, but at present it may be too imminent to risk; and I know, my dearest mother, terrible as the trial is to both, you would not want me subjected to imprisonment again. And besides, I cannot help hoping, and indeed believing, that you will yet be spared this*

time, so that I can come and spend a happy time with you yet in the dear old home. But give yourself no uneasiness in any event about me. 'The Lord is my shepherd.' Neither fear for E. nor R. I will do all for them in my power, and they will remain at the old homestead. Oh how great is the denial which keeps me away from you! But L. and C. go, and she will tell you all and do all for you that I could. So good-bye, dearest, dear mother. Still hoping and expecting to see you this summer on earth,

"I am yet, as all my life, your devoted and affectionate son,

"CLEMENT.

"Mrs. R. Vallandigham, New Lisbon, Ohio."

The day after he wrote this letter, and before it reached her, she departed this life, and hearing of her death he wrote the following letter to his brother James:—

"DAYTON, OHIO, July 10th, 1864.

"*My Dear Brother*:—Yours of the 8th I received yesterday. On the day previous I received also the despatch to the *Empire* announcing the death of our dear blessed mother. Words cannot express the feelings of my heart at the thought that I have not been in a position to enable me to be with her and with you all. But it is a part of the evil times upon which we have fallen. Her death was somewhat unexpected, for until Mr. Robertson's letter of the 4th inst. I did not feel that there was any danger, and even then I hoped that she might become better for a little while longer, so that I might see her yet again. But Providence ordered it otherwise. She was indeed a noble mother, and I reckon it among the chief of my blessings that I was the son of such a mother. She was too a truly *pious woman*, and no purer spirit ever entered upon the eternal rest of heaven. Though I could not see her before her death, I rejoice that she lived to see my return to my own country and home."

It was Mr. Vallandigham's intention when he returned to remain for some time quietly at home, and partake of that domestic enjoyment in his own family and beneath his own



roof of which for more than a year he had been deprived. But he was continually invited to attend and address political meetings, and some of these invitations he felt constrained to accept. On the 13th of August a peace-meeting was held in Dayton, composed not only of Democrats but also of some Republicans who were beginning to grow weary of the war. Mr. Vallandigham did not intend to be present, or at least to take any active part in the meeting. After its organization, however, he was waited upon by a committee appointed by the meeting, and at their urgent request addressed the assemblage.

On the 18th a similar meeting was held in Syracuse, New York. Mr. Vallandigham had declined a written invitation, but a special messenger was sent for him and would take no denial, and he accordingly went. It was an immense meeting, the number in attendance estimated at seventy-five thousand, and the greatest enthusiasm prevailed. He addressed the vast multitude in an earnest speech, advocating *peace*, urging the calling of a Convention of all the States to agree upon terms of settlement between the contending parties and the restoration of the old Union—the glorious Union established by the fathers.

On the 29th of August the Democratic Convention to nominate candidates for the Presidency and Vice-Presidency of the United States, met in Chicago. Mr. Vallandigham attended as a delegate from the Third Congressional District of Ohio. His reception was of the most flattering character; all seemed eager to do honor to the man who had suffered so much in defence of Democratic principles and the rights and liberties of the people. He was frequently called out to address vast assemblages collected in the streets, and he also took an active

part in the deliberations of the Convention; and when General McClellan was nominated, he moved that the nomination be made unanimous. General McClellan was not his first choice, but finding that he was more acceptable to the Convention than any other candidate, and having confidence in his ability and integrity, he voted for him, and in the canvass gave him an earnest and cordial support.

Although by a combination he was defeated for Chairman of the Committee on Resolutions, yet Mr. Vallandigham secured practically a triumph in the Committee on the report which they made to the Convention. He did not, as we have said before, regard favorably the nomination of General McClellan, and many of his best friends of the radical Democrats were surprised and some of them angered by his motion to make the nomination unanimous. In doing so, Mr. Vallandigham was governed by these motives: he had long been looked upon as an extreme man in his views; he had been held responsible for Democratic defeats, on account of his alleged rashness and violence; there was that feeling in the Convention, that if he had said the word it would have been broken up; he felt that he would do wrong to himself and to his country to assume the responsibility of such a movement; and as the nomination had been made, the platform being acceptable to him, it was better to make the best of the situation. So through his efforts the nomination was made unanimous. For this, and on account of failure to secure a more distinct recognition of the principle of State rights in the platform, he was accused of weakness by some few of the extreme State rights men. But fortunately for him, most of the men who made this accusation of want of firmness were individuals who had

quailed before the storm, or had been entirely unheard of at the time when he, in 1861, almost single-handed and alone, with unflinching courage and undeviating firmness, had faced the full fury of its blast.

There is a class of men who flatter themselves that they know exactly what should have been done, and what they would have done if they had been placed in the position of men of power and influence, but it is a singular fact that these wise critics never attain the position nor acquire the power amongst men to put their wisdom, their courage, and their firmness into practical exercise. When McClellan's letter of acceptance came out, which apparently repudiated a portion of the platform, Mr. V. was highly indignant, at first refused to give the General any further support, and expressed in the violence of his anger his regrets that he had ever lent any countenance to his nomination; but upon calm reflection and counsel with wise and influential Democrats, being convinced that he would have considerable influence in shaping the policy of the Democratic candidate if he was elected, he concluded, as between Mr. Lincoln and General McClellan, the latter was greatly preferable.

In the campaign that followed Mr. Vallandigham took an active part, addressing meetings in New York, New Jersey, and Pennsylvania, and many in his own State. And at these meetings he spoke with the same freedom and boldness and earnestness that he had been accustomed to use before his banishment — denouncing the abuses of the Administration and their encroachments on the rights of the people, and urging the adoption of those measures that would result in an immediate close of the war and the speedy restoration of the Union.

The campaign closed with the election in November, and Mr. Vallandigham gladly retired to his home, where in attention to his private affairs, which had for a long time been much neglected, in reading and study, and in the society of his family and friends, he pleasantly spent the winter.

## CHAPTER XV.

### PARTISAN PROSCRIPTION AND THE SONS OF LIBERTY.

ONE of the saddest parts of the task of giving the story of Mr. Vallandigham's life during the war, is the necessity of reviving the memories of the outrages committed by the dominant party during that melancholy period of our history. Thousands upon thousands of men, noble, kind, and generous in their impulses naturally, were so carried away by the madness which ruled the hour, that it was utterly impossible for them to do justice to the motives and feelings of their Democratic neighbors, and in some instances they were guilty of acts which will prey upon their minds as long as they live. The very demon of hate took possession of the souls of many who had never been suspected before of possessing any other than the most kind and amiable feelings. The writer has heard numbers of Republicans, in late years, since the excitement is over, and opportunity been furnished calmly and dispassionately to review the past, express profound and no doubt sincere regret for their violence, uncharitableness and bitterness in those sad days. It is because so many men now living feel this way that it is unpleasant to recall the declarations, acts, cruelties, and persecutions of the Republican party at that period against their Democratic fellow-citizens. Yet it would

be utterly impossible to give a correct idea of Mr. Vallandigham and his political career without adverting to these things.

When the war commenced, a reign of terror was inaugurated all over the land. Freedom of speech and of the press was for a while entirely suppressed. Very early was Mr. Vallandigham a special object of attack: it was attempted to proscribe him politically, to cast him outside of the pale of the church, and to ostracise him socially, and for a time it required considerable moral courage to induce a man openly and publicly to avow friendship for him. During a part of 1862 this feeling for a short time moderated, but in 1863 it broke out again with tenfold fury, and was maintained until after the close of the war. Arbitrary arrests took place all over the country. Democratic speakers were mobbed, Democratic meetings were suppressed, and hundreds of Democrats all over the country were imprisoned, and some murdered in cold blood, for no other reason than because they were Democrats, and refused to assent to the policy of the then existing Administration. It was in consequence of this condition of affairs, and the existence of secret societies armed and organised in support of the Republican party, that the organization known as the Sons of Liberty was formed. It was organised as an offset to the Loyal Leagues and other secret societies of the dominant party, for the purpose of defending Democratic presses, meetings, and speakers, for the mutual protection of its members, and for the protection of the ballot-box. The organization proper had no affiliation and no purpose to affiliate with the men in the South who were fighting for separation. There were men, however, who were in favor of disunion that joined it, and in some places endeavored to use it to further the cause of Southern

independence; but this was not warranted by the constitution or ritual of the order, and wholly unauthorised by its chief officers. Mr. Vallandigham and many wise, reflecting men regarded the liberties of the country in danger; they were willing to submit to any amount of personal abuse and obloquy while the ballot remained free, but should it be assailed and its freedom destroyed, they had determined to fight, and therefore they resolved to organise.

Many years before the war, a secret society having for its main objects the acquisition of Mexico and Cuba, was organised. It was commenced in the South, but extended northward as time advanced. From the objects of the organization it can be well understood that a majority of its members were Southern men, and in the North were Democrats. It was called the Knights of the Golden Circle, K. G. C. After the war commenced the Northern members of this society made several modifications in its constitution and ritual, and it was rechristened and became the Order of American Knights, O. A. K. In 1863, for the reasons already mentioned, the necessity of some kind of organization for mutual protection among Democrats was seriously felt, and during the latter part of that year a movement commenced to change the organization of the O. A. K.'s and make it a great political society, and to extend its power and usefulness throughout the United States. As early as the year 1862, Mr. Vallandigham had been applied to by members of the Order of American Knights to join that organization, but had refused because he apprehended that it might have some connection with the Southern Government, or place the members of it under some sort of obligation that was inconsistent with the oath of allegiance of a citizen of the

United States. He was again spoken to on the subject in the first part of 1863, but again refused for the same reasons and because of his opposition to secret political societies generally, and for the additional reason that the fall elections in 1862 were so favorable to the Democracy that it appeared improbable that the Administration would dare to continue much longer its persecutions of Democrats and illegal arrests. But his own arrest soon after, and the conduct of the Administration and the Republican party during the year following that event, convinced him of the absolute necessity of organising for the protection of life, liberty and property, and to guard against any attack upon the ballot-box. He was not long in making known to parties interested his views upon the subject; and in conversation with members of the Order of American Knights in the early part of 1864, he communicated to them the information that if he was allowed the privilege of modifying any objectionable features in its constitution, and if the whole thing was remodelled, he would be willing to join it.

About the middle of February 1864, Mr. Green and Dr. James A. Barrett visited him in regard to this matter, at Windsor, Canada West. Of this interview, in his testimony before the Military Commission which tried L. P. Milligan, Esq., he gave the following account:—

“After discussing some political questions, they detailed their business, saying that they were on their way to New York to attend the meeting of the Supreme Council of what was, as I understood, the Order of American Knights; that some material changes were to be made in it, or something to be done in connection with it. They said that it numbered many thousands, and they desired that I would become the chief officer of it. My answer was, that I had understood there was some



such organization perhaps known by that name, in existence a year or more; that I never heard of it previous to the fall of 1862; that I had always declined having any connection with it because I apprehended that it might have some connection with the Southern Government, or place members of it under some sort of obligation with reference to that Government that was inconsistent with the oath of allegiance of a citizen of the United States; and that I would belong to none, directly or indirectly, looking to any sort of connection with those who were in arms against the Federal authorities. I went on then to express my convictions as to secret political organizations; that circumstances altered cases, and whereas I had always hitherto opposed them as a member of the Democratic party, now I believed the time had come when they were useful and necessary, provided they were kept legitimate and lawful. The assurance was given by these gentlemen that there was nothing of the kind I had apprehended; at all events there was to be a change made, or a new arrangement in the organization, and that all objections of that kind, if any existed, would be obviated. And further, that all they proposed was a simple and informal communication of the ritual, principles and obligations. With reference to the purposes of which I have spoken, they assured me that it was only a political organization, having reference to affairs in the States that had adhered to the Union and recognised the Federal Government and its authorities. I accordingly consented, and informally, by reading in part and showing in part, without any attempt at ceremony, the ritual, principles and obligations were made known to me. No part of any of them was read in full to me, but the books and pamphlets were left with me for examination. The principal objects with reference to which I made inquiry, as stated there, were declared to be of a political character, and for the defence of members of the Democratic party."

Messrs. Barrett and Green, after their interview with him, then proceeded to New York to attend the Supreme Council of their Order. At this Council the organization known as "The Sons of Liberty" was formed; the ritual with some modification of the O. A. K.'s was adopted, but in a good many

respects changes were made with what had been the constitution of the latter association. About the 1st of March, 1864, H. H. Dodd and Dr. Massey, who had been present at the meeting in New York, came to Windsor to see Mr. Vallandigham and inform him of what had been done. They brought him word that he had been chosen chief officer of the new organization. They informed him also of the details of the ritual and the new constitution which had been adopted, but brought no copy of it with them; and Mr. V. never saw a printed copy of it until the 28th of March, 1865, when to all practical purposes the society had been disbanded. After hearing the explanations of these gentlemen of the objects in view, becoming satisfied that nothing beyond the protection of Democrats and rightful resistance to any attempts to interfere with freedom of elections was contemplated, he agreed to be sworn in as Grand Commander of the Sons of Liberty. The oath of office was administered by Dr. Massey, and it was simply "to support the Constitution of the United States, and faithfully to discharge the duties of chief officer of the organization."

Scarcely three weeks had elapsed after the inauguration of Mr. Vallandigham as the Grand Commander of the Sons of Liberty, before the mighty impulse of his strong will and determined energy was felt all over the great States of the Northwest. Lodges were organised in almost every county in the States of Illinois, Indiana, and Ohio, by the time the frosty empire of winter had given way to the gentle but potent influences of Spring; and in other States the organization rapidly increased in numbers, so that in the month of June over two hundred thousand men had been initiated. The secret agents were everywhere at work; and in every little village and ham-

let in the States we have mentioned, during the spring of 1864, the mysterious gatherings assembled in strange and out-of-the-way places, and were instructed in the doctrine and the ritual of the order. But an organization so novel and so widespread could not long escape the attention of the members of the Republican party or elude the vigilance of the Administration, and there was scarcely a city of any size where the Sons of Liberty had any strength that had not amongst the members of the association some spy or detective. Mr. Vallandigham quickly discovered that there was scarcely anything of general importance made known to the members of the organization that was not immediately communicated to the Administration, and he soon became wearied of a system which had in it the element of *secrecy* which provokes obloquy without any of the advantages which flow from concealment and reticence in political affairs. In fact, his temper of mind was such that concealment or duplicity of any kind was hateful to him. He was disgusted, too, by the absurd ritual and the ridiculous ceremonies of initiation, and continually angered by the imprudence of members of the order. He was so thoroughly convinced of the failure of the organization as a *secret* society that he did not communicate to any one of its members his contemplated return on the 15th of June, and his arrival in Hamilton was as complete a surprise to the Sons of Liberty as to the Loyal Leagues of Ohio.

In the latter part of May he became suspicious that an effort was being made to use the Sons of Liberty for the furtherance of the cause of disunion, to make it an offensive instead of a defensive organization. In an interview with a Confederate agent he satisfied himself that the Confederate Administration

would not make any alliance with the Democrats of the Northwest except upon the terms of absolute separation forever. Immediately after this he had a meeting with one of his Western coadjutors, who was actually in favor of assisting the South without any promise or guarantee from their so-called government of a restoration of the Union, or even the admission of the Western States to a new Union. Upon learning the views of this gentleman, Mr. Vallandigham became violently excited. With flashing eye and clenched fist he denounced the stupidity of the men who were willing to precipitate a revolution and fight for a government which, if successful in accomplishing its independence, would consider them aliens and outcasts. "I will fight for no cause," he exclaimed, "wherein victory itself is dishonor; I will fight for no government by which my State is to be regarded as a foreign land forever. I do not believe the present Administration of the Confederate States represents the views of the people of the South. They are too generous and too brave to expect men whom they intend to regard forever as aliens, to fight their battles for them. They are opposed to the Union simply as symbolised by Lincoln and Company, but they cannot oppose a Union where their enemies, as well as ours, shall be politically buried. But if the madness of the Southern leaders refusing a re-union upon most favorable terms shall result in the destruction and subjugation of the Southern people, I am determined to see to it that my friends, the noble, gallant thousands who stood by me, and who now stand by me, an exile and an outcast, shall not suffer in the same way and become involved in the same wreck. Not a hand shall be offered to assist the Southern people nor a shot fired in their

favor if I can control the Sons of Liberty, until it is distinctly understood that the idea of permanent disunion is entirely given up and completely abandoned. If I hear of any further developments, under existing circumstances, of attempts of members of our order to assist the Southern Government, I will myself inform the Lincoln Administration, and see that the authors of a worse than abortive revolution are promptly punished."

This was substantially his language, but any one unacquainted with him can form but a faint idea of the force and earnestness with which it was uttered. He sent orders to all his subordinate commanders to beware of any coalition with Southern agents, or any movement calculated to change the order from being a society for defence merely and mutual protection, to an offensive and revolutionary organization. Notwithstanding all his efforts and watchfulness, however, some of the order were induced to join in plans of action which rendered them liable to the charge of treason. These plans were industriously encouraged by detectives employed by the Federal Government, and upon the 16th of August it was understood in several lodges of the order that an uprising against the Federal Government should take place. Knowing well Mr. V.'s views upon the subject, he was not informed of it, and therefore upon that very day started east to speak in New York. This uprising would have probably occurred had not three things conspired to prevent. First, there was no competent head directing the movement; second, it was discovered in time that the movement was not only not known by the Grand Commander, but was against his most positive injunctions; third, in places where men were rash enough to disregard the reasons

above mentioned, the Administration being perfectly well aware of all the details of the movement, prevented its development by the proper military and police disposition.

Some time after this Mr. V. was informed of it, and his indignation knew no bounds. "What do these men mean," he cried, "by acting against my express orders? Do they think I will submit to such dangerous insubordination, which endangers not only the success of the Democracy as a party, but puts our wives and children in jeopardy?" He was told that it was expected that a revolution once being started, he would be dragged in, and it was desired that he should be the head of it. "I want to be the head of it then before it starts, if it has to be done; and as for being dragged into anything, they little understand the character of the man they are dealing with if they imagine for one moment that I can be dragged into a movement which my judgment does not approve of." The account of these interviews we receive from a man of strong secession or Southern feelings, who was very much disappointed at the position taken by Mr. Vallandigham. While it is probably nearly correct, it is very likely that, unconsciously to himself, it is somewhat colored by passing through the medium of his own feelings and prejudices. It is not to be expected in a work of this kind that any complete history of the doings of the Sons of Liberty can be given; this much we give in order to vindicate Mr. Vallandigham from the false charges that were made against him in connection with this organization. Much of their proceedings in different parts of the country were never known to him; but the organization had an important influence in preventing the general use of actual force in the elections of 1864. During the campaign of that year, the feverish excitement amongst the

people was such that but very little imprudence upon the part of the leaders of either of the great parties would have precipitated the country into a civil war.

From the time that Mr. Vallandigham came home — the 15th of June, 1864 — until after the Presidential election, he was continually surrounded and followed by detectives. Yet, although constantly under their espionage, nothing was ever discovered, in language or conduct, which could possibly be construed as treasonable, or which rendered him justly liable to arrest by the United States authorities. The reason was that he had no hidden, treasonable views upon the subject of the war, as his enemies supposed. At last one of these detectives, who had heard repeatedly his private conversations and declarations, gave up his pursuit in disgust, and reported: "Vallandigham talks no more like a rebel in private, no, not as much as he does in his public speeches." A great meeting of the order was held in Chicago at the same time that the Democratic Convention to nominate a candidate for President met there. This meeting, which was expected to be of great importance, really amounted to very little. Mr. Vallandigham's course here provoked the animosity of many of the extreme men of the order, and by some of them he was unjustly accused of using the order merely for his own personal protection, without having any ulterior object. On the other hand, Mr. Vallandigham believed that the course advocated by some of them was calculated to lead to a permanent division of the country, and to this he was utterly opposed. His views on this subject are clearly and ably set forth in his letter to the Young Men's Democratic Association of Lancaster, from which we make the following extract:—

“The fatal mistake of the South, her ‘blunder,’ which a false morality pronounces worse than a crime, was in ignoring the great American idea of ONE COUNTRY — not an impulse, not a theory, not a mere aspiration of national vanity, but a commandment written by the finger of God upon the rivers and the mountains and the whole face of the land, and graven thence upon the hearts of the people. It was this, not anti-slavery, which held the border slave States in the Union, and stirred, for good or evil, the whole North and West to such exertions of military, naval and financial force as never before were put forth by any nation. And it was this grand and pervading national sentiment, hedged by the sanction of destiny, which, according to the measure of my ability, I undertook to expound and justify in the House of Representatives in 1863, and by this line of argumentation to establish that the Union through peace was inevitable. Nothing but the violence of an intense counter-passion, and the terrible pressure of civil war, could have suppressed, even for a time, the power of this sentiment among the people of the South also. Had their leaders forbore to demand separation and a distinct government, adhering to the old flag, and, within the Union under the Constitution, firmly but justly required new guarantees for old rights believed to be in peril, they might not indeed have had barren and deluding sympathy from subjects, and false hopes of assistance from kings and emperors in Europe eager for the decline and fall of the American Republic, but they would have been cheered by the cordial greetings and the active support of finally an overwhelming majority of the States and people of the West and North. But when they established a permanent distinct government, and took up arms for independence, they marked out between them and us a high wall and deep ditch which no man, North or West, could pass without the guilt and the penalties of treason. They went beyond the teachings of their own greatest statesman of the past age, for Mr. Calhoun himself had declared, in 1831, that ‘the abuse of power, on part of the agent (the Federal Government), to the injury of one or more of the members (the States), would not justify secession on their part: there would be neither the right nor the pretext to secede.’ No matter who was responsible originally for that condition of things which led finally to war, nor what the motives and character of the war after its



inception—and upon both these questions I entertain and have expressed opinions as fixed as the solid rock—so far as the South fought for a separate government she stood wholly without sympathy or support in the States which adhered to the Union. Whatever else may happen, her vision of independence has now melted into air. In the appeal to arms—maintained upon both sides for four years with a courage and endurance grandly heroic—she has failed; and though it had happened otherwise, still, in my deliberate conviction, her experiment of distinct government would have failed also. But the sole question really decided by the war, as by peace years before it had been settled, was that two several governments could not exist among the States of the American Union.”

After the Presidential election of 1864, the Sons of Liberty were disbanded, or at least as far as we can ascertain no further meetings of the order were ever held.

We will close this chapter with an extract from a speech delivered by Mr. Vallandigham at Peoria, Illinois, on the 24th of October, 1864:—

“And now, first, men of Illinois, a word as to secret societies, of which so much recently has been said, and with which my name has been connected by telegraph and the Abolition press. Charges of dark conspiracy are daily heralded, and even Democratic newspapers are, under the present miserable arrangement, obliged to make public whatever of falsehood or forgery their political enemies, who control the ‘Associated Press,’ may choose to transmit. Every conceivable organization within the Democratic party—your clubs, your reading-rooms, your associations, even your committees—have been denounced audaciously—yes, by men high in power—as treasonable combinations to overthrow the Government. Men of Illinois, I am here to speak plainly and boldly to-day, upon this as upon every other question. [Great applause.] How dare the Judge Advocate-General, upon the eve of a Presidential election, lend himself to the office of insinuations or open charges of treasonable conspiracy against more than a million and a half of men who love the Union, revere the Constitution, adore the flag,

and mean to defend their own personal liberty and the liberties of the country to the last extremity? [Immense applause.] In ordinary peaceable times, when we had Constitution and law in the land as the sole rule of action for our public servants, and when arbitrary power was unknown in America, when peace and security spread their gentle pinions over every household and there were none to make us afraid, I was hostile to every form of secret political society. Ten years ago I fought boldly against just such an organization called the 'Know Nothings,' made up of the very men who now libel us, but who then crept through alleys and round corners with dark lanterns in their hands, seeking their dusky haunts and dens under cover of the night, though the Constitution was then the supreme law of the land, and military arrests and military commissions were alike unknown, and trial under the common law and by jury was the acknowledged birth-right of every citizen. But times change; and our rights and duties, subject always to the eternal and immutable laws of justice and right, change with them. The expediency, nay, the necessity of a secret organization, depends upon the exigencies of the times. When constitutions are defied and spit upon, and laws set at naught, and courts of justice supplanted by military commissions, and military arrests take the place of 'due process of law,' and free speech, a free press, free assemblages of the people, and above all, free elections, are subverted; when the whole power and patronage of the Administration, the joint power of the purse and of the sword, are employed by the party in authority to perpetuate its domination; and when other secret, oath-bound, armed and disciplined societies—armed secretly, but by men in authority, and at the public expense, and working in the interest of that party—exist and are fostered and encouraged everywhere, to overawe and intimidate, yes, even to assail and beat down the political opponents of the Administration, it is the right and the duty of the people to unite together for the protection of their interests, their rights, and their persons; for 'when bad men combine, good men,' said the great Edmund Burke, 'must associate.' [Loud applause.] And if they see fit to meet with doors locked, to require forms and ceremonies, to demand a lawful oath or obligation, and to enjoin secrecy, they have the right to do it. [Renewed applause.] They are not conspirators, but patriots.

The test of lawfulness or unlawfulness does not depend upon ritual, or obligation, or secrecy, but upon their purpose. If it be to overthrow the Government, State or Federal; to resist judicial process; to resist the laws of the land or the constituted authorities of the Government in the exercise of their lawful powers and rights; if it be to seize arsenals or other public property, to release rebel prisoners of war, or in any other way to 'give aid and comfort' to the enemies of a State or of the United States, within the constitutional meaning of that term, then it is an unlawful organization, a conspiracy, whether it be open or secret, and as I announced on the day of my return to my home and native State in June last, at Hamilton, 'the offence is treason and the penalty death.' [Loud applause.] But we of the Democratic party have a right in times like these to unite in any sort of organization for the purpose of advancing the cause and interests of our party, of securing political power and office by peaceable means—through the ballot-box. [Applause.] More than that, we have the right, under the Constitution, and by law and by nature, to defend our liberties, to protect our persons, to vindicate our rights, and secure that which Constitution and laws give us, but which arbitrary power may without due process of law and by the strong hand attempt to take away. [Great applause.] If not, then better surrender the form of government which our fathers made for us, and choose a king at once.

"You hear much just now of a secret organization or order called the 'Sons of Liberty,' which is said to exist. Well, gentlemen, I have read carefully all that the spies, detectives, and informers of this Administration have revealed, and all that Sanderson, Carrington, Holt, and Mary Ann Pitman have made public; and am here to-day to say that neither in the ritual, nor the obligation, nor the lessons or declaration of principles, is there one word 'treasonable' in its character or inconsistent with the highest and most delicate allegiance which an American citizen owes to his country and to its government, or the duty which an American freeman owes to himself. [Loud cheers.] The ritual, in itself, is nothing, and the obligation nothing; and as to the principles announced, they are precisely those to which every American, of every party, heretofore has subscribed. They are the doctrines of every Democratic presidential convention for the last thirty years. Nay,

part of them are, word for word, the Virginia and Kentucky resolutions of 1798, penned by Madison and Jefferson. [Loud applause.] And yet sixty years later, the doctrines of the fathers of the Republic, and founders of that great Democratic party which made the country glorious and great, are denounced as 'treason;' and they who dare hold them still, as enemies to their country and conspirators against its government!

"But, gentlemen, how comes it that in all these startling revelations, these conspiracies and plots, these secret societies, this clamor about oaths and obligations and rituals, we hear nothing of the 'Loyal Union League' and the 'Strong Band,' and other powerful and dangerous secret oath-bound societies, *friendly to the re-election of Abraham Lincoln*, but hostile to the peace and good order of every community? Why is Rosecrans silent? Why Carrington dumb? Why has Mary Ann Pitman no revelation to disclose; and why even does Judge Advocate Holt's flatulent eloquence fail to give forth a solitary rumble? And yet such organizations exist everywhere, military in their character, and drilled, disciplined, and armed—yes, armed with muskets, the public property of the United States or of the State, and paid for out of taxes wrung from your hard earnings. Why, it was but a few weeks ago that the grand council of the Union League of the State of New York assembled at Syracuse, and sitting as an adjunct of the Republican State Convention, unanimously adopted this resolution:

"*Resolved, That we earnestly recommend and urge upon the subordinate councils to organise military companies within their several bodies, to arm and drill with the utmost diligence, and with great caution, that no unnecessary occasion of offence be given to our enemies.*"

"What enemies? Rebels in arms? Oh no! The Loyal League military will never march to the front to be near the flashing of the guns. Their enemies are their neighbors, the men and women of the Democratic party at home. To meet in secret, to require oaths and ceremonies, the burning of frankincense, of 'gum, thus and myrrh,' to form military companies, to arm and drill in order to murder 'copperheads,' or control elections, is lawful, loyal, patriotic. But all or any part of this, to aid the principles of Democracy, to promote the

success of that party at the polls, to defend our constitutional, God-given rights as freemen, is disloyal, is treasonable, is a conspiracy to overthrow the Government, and to be put down by the strong arm of the military,—the conspirators not even being entitled to the privilege, in common with thieves and other felons, of a trial by jury, and in the judicial courts, and by the fixed criminal laws of the land. I tell them that we, the men of the Democratic party, have precisely the same rights, in this and in all other things, as they have, and ‘by the Eternal’ we mean to exercise them. [Immense applause, and cries of ‘Good,’ ‘We will,’ &c.]

“And now as to the real purposes of the so-called ‘Sons of Liberty,’ we have it as set forth officially in these words by Brigadier-General Henry B. Carrington, ‘commanding the district of Indiana,’ in a report from headquarters, to Governor Morton, dated June 28th, 1864:

“‘PURPOSES OF THE ORDER.

“‘It seems that the main purpose is political power by UNION *with the South, regardless of men or measures.*’

“That is, without reference to the question of slavery or slaveholders, just as the Union existed of old. And that, I believe, is precisely the great object of the whole Democratic party. So declares the platform of the late Chicago Convention. So says General McClellan when he announces in his letter of acceptance, that ‘the sole condition of peace is the union of the States.’ Thanks to General Carrington: stupidity secured an admission which a more intelligent dishonesty would have withheld. And yet, after all, if Abraham Lincoln will but return to Constitution and law as his sole standard of right and power, and again give us security from arbitrary arrests and from military commissions for the mock trial of citizens; if he will respect freedom of speech, and of the press, and of elections, as in the time of other Administrations; if his supporters will break up their Strong Bands and Union Leagues, and leave us secure in our rights, our property, our persons from mob violence, then I will gladly say, away with all secret societies and orders and organizations; disband them, one and all, at once, and let us come back to the quiet and peace and openness and good order, and good feeling too, of other days. [Applause.]”

## CHAPTER XVI.

### PATRIOTISM AND LOVE OF THE UNION.

MR. VALLANDIGHAM was a true patriot. Intimately acquainted with him from childhood, we have never met with a man in whose bosom seemed to glow a more intense love of country. He loved the South, for it was the home of his ancestors for more than one hundred and fifty years — their place of shelter from the storms of persecution in their native land. He loved the West, for it was the place of his birth, where his infancy was cradled and his manhood matured — peopled too by a race whose energy and earnestness were so congenial with his own earnest and intense nature. He loved the North, for it was a part of his country, that country of which he was proud, whose Constitution he revered, whose institutions he admired, and for whose peace and unity and prosperity he diligently labored. It was his desire to know no North, no South, no East, no West. He loved the whole country: he was, as he himself expresses it, a United States man. It was the day-dream of his youth, and even of his mature years, that he should live to see the centennial anniversary of the nation's birth, and that on that occasion he should be the orator, or one of the orators of the day to celebrate the glories of a free, united, and prosperous country. The charges, therefore, so frequently made during the war that he was disloyal,

that he was a disunionist, are utterly false and unfounded. Some who made them were doubtless honest and sincere; others knew them to be untrue, and in giving them currency were actuated entirely by personal or political malignity, or by a desire to subserve a partisan purpose. No man of sense and intelligence believes them now, and prominent Republicans in all parts of the country freely acknowledge not only his ability, honesty and integrity, but also his patriotism and love of the Union.

Mr. McCullough, now of the *Chicago Republican*, who reported many of his speeches for the *Cincinnati Commercial*, and knew him well, makes the following observation in his paper:—

“In the cheap and unreasoning clap-trap of the day, it is common to speak of Mr. Vallandigham as a ‘rebel,’ ‘traitor,’ or a ‘secessionist.’ Now, no man can attribute any one of these epithets to him without confessing himself a fool. Mr. Vallandigham was as sincerely desirous of the preservation of the Union as any other living man; but he had educated himself into the belief, first, that coercion was unconstitutional, and secondly, that successful coercion was physically and morally impossible. Hence he was for compromise, for concession, for arbitration, anything rather than war.”

The Rev. F. T. Brown, a college friend, and intimate with him in after-life, thus speaks of him in a letter to the *St. Paul Press*:—

“Soon after, questions in politics came up on which we took opposite sides — slavery, the fugitive slave law, State rights, &c., and when we met again (as we did when he was a member of Congress and I lived in the district) we both felt that there was a veil between us, and that we could not be so free and friendly as we had been. But there was no rupture, and I for one never (even when he was outlawed, and when,

with many, his name was the synonym of disloyalty, treason, and much else that was vile and dishonorable) doubted his honor, his honesty, or his scrupulous integrity, and I fully believe the truth of what he said a short time before his untimely death, viz: 'I tell you, sir, earnestly and honestly, that I never was a disunionist — that I always did believe, and do now believe, that this Union will be perpetuated and extended till it embraces the continent.' He was a man of great abilities, of a noble independence of character, and of high moral worth; and I can not doubt that had he lived, his name ere long would have been honored by tens of thousands who, but a few years since, had no words too bad to fling at the 'traitor Vallandigham.' But he is gone. Peace to his memory. And let an old Republican anti-slavery friend, who loved him, drop a tear upon his grave."

What Mr. Vallandigham's views were on the abstract right of secession we are unable to say: he has never, as far as we know, left them on record. It is the opinion of many of his friends that he believed in the *right*, but so great was his love of the Union that he would make no avowal of that belief, no affirmation of that right, while the integrity of the Union was in danger. Many prominent Northern men believed in the right and openly avowed it, and expressed opinions which evinced a low appreciation of the value of the Union, and great indifference as to the importance of earnest effort for its preservation. In a speech delivered in the House of Representatives, Jan. 12th, 1848, Abraham Lincoln uses the following language:—

"Any people anywhere, being inclined and having the power, have the right to rise up and shake off the existing Government, and form a new one that suits them better. This is a most valuable and a most sacred right—a right which we hope and believe is to liberate the world. Nor is this right confined to the cases in which the whole people of the existing



Government may choose to exercise it. Any portion of such people that can, may revolutionise and make their own out of so much of the territory as they inhabit. More than this. A majority of any portion of such people may revolutionise, putting down a minority, intermingled with or near about them, who may oppose their movements. Such minority was precisely the case of the Tories of our revolution."

Benjamin F. Wade, in a speech in the Senate of the United States, February 23d, 1855, thus speaks:—

"I said there were States in this Union whose highest tribunals had adjudged that bill to be unconstitutional, and that I was one of those who believed it unconstitutional; that my State believed it unconstitutional; and that under the old Resolutions of 1798 and 1799, a State must not only be the judge of that, but of the remedy in such a case."

Horace Greeley, in November 1860, thus expresses his views:—

"The telegraph informs us that most of the Cotton States are meditating a withdrawal from the Union because of Lincoln's election. Very well: they have a right to meditate, and meditation is a profitable employment of leisure. We have a chronic, invincible disbelief in disunion as a remedy for either Northern or Southern grievances; we can not perceive any necessary relation between the alleged disease and this ultra-heroic remedy; still, we say, if anybody sees fit to meditate disunion, let them do so unmolested. That was a base and hypocritic row that the House once raised, at Southern dictation, about the ears of John Quincy Adams, because he presented a petition for the dissolution of the Union. The petitioner had a right to make the request; it was the member's duty to present it. And now, if the Cotton States consider the value of the Union debateable, we maintain their perfect right to discuss it. Nay, we hold with Jefferson to the inalienable right of communities to alter or abolish forms of government that have become oppressive or injurious; and if the Cotton States shall become satisfied that they can do better out of the Union than in it, we insist on letting them go in peace. The right to

secede may be a revolutionary one, but it exists nevertheless; and we do not see how one party can have a right to do what another party has a right to prevent. We must ever resist the asserted right of any State to remain in the Union and nullify or defy the laws thereof; to withdraw from the Union is quite another matter. And whenever a considerable section of our Union shall deliberately resolve to go out, we shall resist all coercive measures designed to keep it in. We hope never to live in a republic whereof one section is pinned to the residue by bayonets."

Sentiments similar to these, expressed in terms much stronger and more offensive to lovers of the Union, were again and again advanced by leading Republicans. There were those among them who insisted that either slavery should be abolished or the Union should be dissolved. Their cry was "No union with slaveholders."

With such sentiments Mr. Vallandigham had no sympathy; on the contrary, he sternly denounced them. Whatever may have been his opinion on the *right* of secession, he was always opposed to its exercise, and never for a moment contemplated a permanent division of the country. At one time he apprehended a temporary dissolution of the Union, but he believed that it would be only temporary — that it would be restored, and he was even then meditating a plan for its speedy restoration. In not one of his speeches in Congress or before the people can there be found a single sentence favoring secession, or expressing any sentiment inconsistent with the strongest attachment to the Union. The following quotations from cards which he published and from speeches which he delivered at different times during the war, exhibit his real sentiments:—

"My object, the sole motive by which I have been guided from the beginning of this most fatal revolution — is to MAIN-

TAIN THE UNION, and not to destroy it. When all possible hope is gone, and the Union irretrievably broken, then, but not till then, *I will be for a Western Confederacy.*—*Card to Cincinnati Enquirer, February 14, 1861.*

“Devoted to the Union from the beginning, I will not desert it now, in this the hour of its sorest trial.”—*Speech of January 14, 1863.*

“Sir, I am against disunion. I find no more pleasure in a Southern disunionist than in a Northern or Western disunionist.”—*Speech Dec. 15, 1859.*

“Never with my consent shall peace be purchased at the price of DISUNION.”—*Extract from Speech.*

“No order of banishment executed by superior force can release me from my rights as a citizen of Ohio and of the United States. . . . Every sentiment and expression of attachment to the Union and devotion to the Constitution—to my country—which I have ever cherished or uttered, shall abide unchanged and unretracted until my return.”—*His address before banishment.*

But, say his enemies, he was opposed to the war. True; but does opposition to a war in which a country may unhappily be engaged necessarily imply disloyalty to the Government? Tens of thousands of the men of New England were opposed to the war of 1812—a war, too, with a powerful foreign foe: were they regarded as disloyal by the men who in 1861 denounced Mr. Vallandigham? or did the Government in 1812 ever molest them or interfere with their perfect freedom in expressing their opinions? Thomas Corwin opposed the war with Mexico, and on the floor of the Senate denounced it in unmeasured terms: did the Republicans of 1861 regard him as a traitor? Lord Chatham opposed the war of Great Britain against her colonies in 1776, and in the House of Lords uttered these bold words: “If I were an American, as I am an Englishman, while a foreign troop remained in my country

I would never lay down my arms ; no, never, never, never !” Was he an enemy to his country, or disloyal to the Government?

Mr. Vallandigham’s opposition to the war then was not disloyal, was not treasonable. Was he in error in the course he pursued ; is it certain that he was in error ? What says General Durbin Ward ?

“During the late national contest no man believed more emphatically that he was right than the speaker did ; no man was more ready than he to cast the die and to abide the result of the choice than I, and I have no disposition or desire to change that opinion at this day ; yet who of us can say in the coming centuries of time, when the events of the past few years are viewed in the light of history and aside from partisan influences, whether Clement L. Vallandigham was not only truly great, but also right ? Who will pretend to say what the verdict of history will be ?”

The same suggestion is also made by a writer in the New York *Herald*, which we here give together with the comments thereon from another paper :—

“It is not for us to pass judgment on his political life. What is treason to-day may be patriotism to-morrow. But justice to the dead and to the living impels us to recognise the purity of the motives which prompted Mr. Vallandigham to sacrifice his political prospects during the war. He had faults ; but who is there without them ? He may have erred during the rebellion ; but are we sure that he erred ? He never retracted one word that he uttered in that eventful period, nor expressed regret that he pursued the course he did. He died believing he was right, and his sincerity demands our respect, even as his abilities command our recognition and our admiration.’

“He may have erred during the rebellion,’ but the inquiry arises, ‘Are we sure that he erred ?’ Who is to judge ? Certainly not those who differed with Mr. Vallandigham, for they had an object in misrepresenting and maligning the motives that prompted him and governed his opinions upon all

public questions. The most decided opponents of Mr. Vallandigham conceded to him not only ability, but integrity and sincerity in his political sentiments and ideas of public policy. As the *Herald* writer remarks, referring to his course during the rebellion, 'he never retracted one word that he had uttered in that eventful period, nor expressed regret that he pursued the course he did.' And the *Herald* adds, 'he died believing he was right.' And now comes the inquiry, even with those who differed *in toto* from Mr. Vallandigham, 'Are we sure that he erred?' This is a question that the actors or participants, those who were contemporaneous with these fearful scenes, when might and prejudice and passion usurped the place of law and the individual rights that the Constitution was intended to and should protect, can not properly answer, because the same considerations that influenced them then, control them now in a greater or less degree.

"And who that understood the character and appreciated the motives that prompted Mr. Vallandigham can doubt his love of country, and not only his earnest, but intense desire for its prosperity, progress and glory? And no one can read his speeches during the rebellion, no matter how intense and bitter may have been his denunciations of the Administration for its exercise of arbitrary power, without being convinced that he thought he was doing right, and that he was maintaining the principles that must underlie republican institutions, if free government is maintained and perpetuated. In a speech at Dayton, in 1862, he said:

"'I was born a freeman. I shall die a freeman. It is appointed to all men once to die, and death never comes too soon to one in the discharge of his duty. I have chosen my course, have pursued it, have adhered to it to this hour, and will to the end, regardless of consequences. My opinions are immovable — fire cannot melt them out of me. I scorn the mob. I defy arbitrary power,' and as the *Herald* remarks, Mr. Vallandigham 'never retracted one word that he uttered in that eventful period, nor expressed a regret that he pursued the course he did.' And we repeat the inquiry, 'Are we sure he erred?' It is not for this generation to say that he erred. 'What is treason to-day, may be patriotism to-morrow.' Mr. Vallandigham sacrificed much in his position. If he had taken an opposite course, with his conceded abilities and marked qualities

to influence and intensify public sentiment and action, he might have reached the very top-round of the ladder of fame, and not only fame, but what those that differed with him regarded as the highest evidence of patriotism. But all these incentives to the gratification of ambition for place and power he subordinated to what he regarded to be the right. And 'are we sure that he erred?' All the results of the terrible civil war have not yet been developed, and future generations may look upon the contest and the actors in it from a different standpoint than the present. Mr. Vallandigham never uttered a sentiment that did not express the most intense devotion to the Union and the Constitution. And the best evidence of the purity of the motives that prompted him is found in the sacrifice he made of his political prospects during the rebellion. The future historian, unbiased by the prejudices and passions and interests of those who were actors in the events of the past ten years, and who will know the fruits of the fearful civil war, can best determine who erred and who were in the right in that eventful period."

But even suppose Mr. Vallandigham was in error: his motives were pure, and honest, and patriotic. It is not true, as has been sometimes charged, that his course in reference to the war was influenced by Southern sympathy. He no doubt had Southern sympathies: he was of Southern descent, he had lived in the South, and there were many things in Southern character that he admired; but those sympathies had not the slightest influence in shaping his conduct. Nor was his course regarded by leading men of the South as favorable to their interests. They admired his courage, they felt grateful to him because he had always stood up in defence of their constitutional rights whenever and wherever assailed; but during the war they regarded him as an enemy, and his course as inimical to the success of their cause. The proof of this is ample. The following is an extract from an article in the *Chattanooga*

*Rebel*, published at the time Mr. Vallandigham was banished to the Southern Confederacy:—

“What shall we do with him? Send him back by all means. It is our duty to our own honor to do so. It is charity to him. And why so? There are a hundred reasons. In the first place, Vallandigham is not our friend, nor an alien enemy of the North. He has never declared for us. On the contrary, he is one of the most dangerous of all the men of the North, for had his astute policy prevailed, we would to-day find ourselves in a more deplorable situation than it is possible to conceive. Vallandigham is a Unionist, an honest Unionist, an able Unionist; he is a gentleman of breeding, and a man of heart. God knows we sympathise with him in his troubles. . . . But in deciding upon his case in our own mind, we see simply the great champion of the Democracy of the Northwest, late member of the Congress of the United States, and at present candidate for Governor of Ohio.”

The next day, another writer in the same paper says:—

“We regard Mr. Vallandigham as a faithful citizen of the United States. As an upright man he has spoken his sentiments freely and frankly. They are very clear; and if founded upon an erroneous estimate of the feelings which inspire the heart of the South, they are frank and honest. We like them for these good and rare qualities. We like him for having uttered them. But still in a public and political point of view, he is our enemy, and as such we are bound to treat him.”

To the same effect is the following extract from the *Mobile Register*:—

“There is only one party in the North who want this Union restored, but they have no more power—legislative, executive, or judicial—than the paper we write on. It is true they make a show of union and strength, but they have no voice of authority. We know that the Vallandigham school wants the Union restored, for he told us so when here in exile, partaking of such hospitality as we extended to a *real enemy*

to our struggle for separation, banished to our soil by *another enemy* who is practically more our friend than he. And if Vallandigham should, by accident or other cause, become Governor of Ohio, we hope Lincoln will keep his nerves to the proper tension, and not allow him to enter the confines of the State. His administration would do more to restore the old Union than any other power in Ohio could do, and therefore we pray that he may be defeated. Should a strong Union party spring up in Ohio, the third State in the North in political importance, it might find a faint response in some Southern States, and give us trouble. But as long as the Republicans hold power, they will think of conquest and dominion only; and we, on the other hand, will come up in solid column for freedom and independence, which we will be certain to achieve, with such assistance as we may *now* (after the refusal of the Washington Cabinet to confer) confidently expect, before the Democrats of the North get in power again, and come whispering in our ears, '*Union, reconstruction, constitution, concession, and guarantees.*' Away with all such stuff! We want *separation*. Give us rather men like Thaddeus Stevens and Charles Sumner. *They curse the old Union and despise it, and so do we.* And we now promise these gentlemen that, as they hate the Union and the 'accursed constitution,' let them keep down Vallandigham and his party in the North; then they shall never be troubled by us with such *whining* about the Constitution and Union as they are sending up."

That 'Mr. Vallandigham was honest and sincere in his course does not admit of a doubt: his speeches and letters show it.

The following letter to his brother James exhibits not only his courage and fortitude, but also his honesty and sincerity. None but a man who sincerely believed he was right would be able to stand the fiery ordeal he here describes:—

"WASHINGTON, D. C., February 24, 1862.

"*My Dear Brother*:—Yours I received yesterday, and am much obliged to you for it. I am indeed 'fighting the beasts at Ephesus.' My courage never flinches, nor does my faith



ever waver ; but it is a fearful odds to contend against. With but a little band to rally round me, without an organ through which to reach the public, with a hostile and mendacious or silenced press, with a reporters' gallery full of the most malignant slanderers and not a friend in it, with an embittered majority in the House, and the spectators' galleries full of contractors and other parasites of the Administration ; with nothing to hope for except in the future, every day becoming more and more distant, . . . the struggle to 'prop a falling State' is indeed enough to appal the stoutest. Faith in the right, in truth, in God, these alone sustain me. If I live through it, the present generation will do me justice. If I perish, but my name survive in the history of these times, other ages, and it may be other countries, will do it. My triumph over Hickman, infamous as his assault was, yet was so signal, carrying for the first time the House and the galleries, that I feel very greatly gratified. The debate, *as it occurred and is in the Globe*, speaks for itself. Nearly all the Democrats of the House called to see me that evening at my lodgings to congratulate me. But all my trials and persecutions are severe. Other men in politics have been as much abused, but they always had the support of a powerful party and press. But I KNOW that it will all come right by-and-bye."

If Mr. Vallandigham had believed that the Union could be restored and maintained by war, and by that alone, he would have sustained with all his might those who were waging it. This he asserts repeatedly in his speeches and in his letters. He avers it in the strongest terms in a letter to Josiah Perham, Esq., of Boston. Mr. Perham had written him a very kind letter, and with it had sent him a medal, which he says "is the same as presented by me to the officers and soldiers of the 6th Massachusetts Regiment . . . on Boston Common, in front of the Mansion House, in which John Hancock lived, August 2, 1861, in the presence of thirty thousand people." Mr. Vallandigham thus replies to the letter :—

"DAYTON, OHIO, *August 29, 1861.*

"*Josiah Perham, Esq., Boston, Mass.*

"*My dear Sir:*—I accept the medal which you have kindly enclosed to me, and the more pleasurably because of the generous sentiments of the letter along with which it is transmitted. You say — and you will pardon me for quoting it — that 'my views as frankly stated by me on the floor of the House, and before the people, do not agree with the united public sentiment of the North in relation to our glorious Union; yet may you not hope that a change may take place in my views, and that before the meeting of Congress in December next, I will be found to have joined the great party which advocates "Liberty and Union, now and forever!"' And you add that 'the frankness and distinguished ability with which I advocate the cause I favor, have given me a national reputation which now becomes historic.'

"The compliment, my dear Sir, which you bestow upon me, is not so much in these last words, flattering as they are, as in the wish you express in the sentence before them; and this just in proportion as honesty is a rarer and nobler heritage than genius or talent, however great. But I assure you that I do already belong, as I ever have belonged, to the party which advocates *Liberty and Union* now and forever. Pardon me, therefore, if I suggest that had Massachusetts but followed always in the footsteps and re-echoed continually the voice of that great man, her Senator, who first uttered these words, dear still to every true American heart, both *Liberty and Union* might yet have been preserved.

"You do not mistake me; and as God is my judge, I aver it, that, if I were satisfied that through civil war alone this Union and our liberties could be secured, and that by civil war they could be restored and made sure, I would unite straightway with that party which by the baptism of blood should seek to establish and to maintain them. But I have not so read history, nor studied in the great book of human nature; and it is because of my deep conviction — a conviction deep as earth and as sincere as the blue sky above it — that this civil war must end and will end in the utter and final subversion of both, that I am constrained with great earnestness, but yet with becoming discretion, to labor for a speedy and honorable

peace which shall leave to us the cheering hope, at least, of an ultimate and not distant restoration of THE OLD UNION of these States, and of 'one flag, one country, one constitution, one destiny.' In this prayer I unite with you with a heart full of sorrow, but not yet altogether without hope.

"Again I thank you ; and I accept your letter as a happy omen of the future. That in the midst of great public excitement, and when threats of imprisonment or assassination are every hour uttered against men who refuse to bow before the storm, there are those yet in the old Bay State who, true to her ancient great name and to the principles of her Revolutionary record, have the calmness to observe, the liberality to appreciate, and the courage to acknowledge public virtue in one whose opinions and course of conduct are so exactly the opposite of their own, gives me renewed confidence in the early restoration of peace, and with it I would fain hope, sooner or later, of that old Union which our fathers made in order to establish justice and to secure domestic tranquillity, the common defence, the general welfare, and the blessings of liberty forever.

"I am very respectfully,

"CLEMENT L. VALLANDIGHAM."

Mr. Vallandigham opposed the war for various reasons. He believed the war to be unconstitutional. He believed it to be unnecessary ; he believed just as tens of thousands believe to this day, that by a judicious and conciliatory course on the part of Mr. Lincoln and his advisers, the war might be averted and the Union saved. He looked upon war as a terrible evil, and never to be entered upon till all other means of redressing grievances had failed. Especially did he look with horror on a civil war. And a war between the North and the South was to him peculiarly distressing, for his family were divided—many of those dear to him belonging to opposing armies. The sons of one brother followed the standard of General Lee in old Virginia ; the sons of another brother, and also the sons of a beloved sister, were in the Federal army. On the hills

around Vicksburg two of kindred blood offered up their lives beneath the folds of the Stars and Stripes, while at Port Royal and at Cold Harbor blood as dear to him was poured out, and two gallant lives closed forever, fighting in behalf of the South and the principle of State rights. He realised strongly, he felt intensely, that it was indeed a terrible war.

His principal objection to the war, however, was that by it the Union could never be restored — the happy, prosperous, glorious Union of the fathers. By concession, by compromise, he believed that the Union could be re-established, but never by war. Whether he was correct in his views or not, time alone can determine. The indications at present — December, 1871 — afford painful ground to believe that his apprehensions as to the result were well founded. A Union “whereof one section is pinned to the residue by bayonets” — maintained by suspension of *Habeas Corpus*, and martial law — a Union in which the ignorant, vicious, and degraded govern, and the intelligent, virtuous, and refined are disfranchised and excluded from office — is not the Union established by the sages and patriots of the Revolution. When Mr. Vallandigham found that the war would go on, that all attempts to arrest it were vain and useless, he demanded that it should be carried on in a legal and constitutional manner, and confined his opposition principally to abuses of power on the part of the Administration. Such gross abuses had never been practised in this country, or in any other professing to be free. The most sacred and valuable rights guaranteed by the Constitution were in thousands of instances trampled upon, and acts of oppression and wrong of the most grievous character continually committed. For his denunciation of these, just as much as for his opposition to the

war, was he assailed and slandered, and charges of disloyalty alleged against him. And yet in all this he was influenced by the purest patriotism and the sincerest love of the Union. He believed that the very first infringements of the rights and liberties of the people ought to be resisted. If quietly acquiesced in, even in time of war, they would form precedents for the future; and that following such precedents, some future President, anxious to prolong his own power or to keep in power the party to which he belonged, might in time of peace, under one pretext or another, suspend the writ of *Habeas Corpus*, or proclaim martial law, or interfere with freedom of speech or of the press, and thus wrest from the people their dearest rights, and inflict upon them most grievous wrongs; and that ultimately a despotism might be permanently established on the ruins of our free institutions.

These were the motives by which he was influenced, and their purity and correctness he was willing to commit to the decision of the "Great Hereafter," and calmly await the verdict of posterity.

## CHAPTER XVII.

### EVENTS FROM 1865 TO 1870.

EARLY in 1865 Mr. Vallandigham, earnest and true in his desire to restore peace to the country distracted with civil war, made another effort in that direction. In 1863, during the time that Horace Greeley was in Canada upon an errand of like nature, he and Mr. Vallandigham had a short correspondence; and whilst their views widely differed as to the plans of adjustment of difficulties between the North and the South, Mr. Greeley had gained the respect of Mr. V. by the evident sincerity and humanity displayed in the correspondence. There had been rumors from Washington of efforts about to be made to stop the effusion of blood, and Mr. Greeley had been there, it was reported, in conference with the Administration upon this important subject. Accordingly Mr. Vallandigham addressed the following letter to Mr. Greeley:—

“DAYTON, OHIO, January 23, 1865.

“*Hon. Horace Greeley, Washington, D. C.*

“*My Dear Sir:—*In consideration of our former correspondence, and that you have twice since urged negotiation for peace in our unhappy country, I intended just after the Presidential election, when no partisan motives could stand in the way, to address you on the subject; but the tone of the President's message seemed so belligerent and so adverse to anything like peaceful efforts, that I gave up my purpose. For some weeks past I have with painful anxiety watched the renewal

of movements in that direction. I fear that little at present may result from them; but what is being done is at least an important point gained (I assume of course that they are in good faith), and a good omen for the future. To me, who for so long have been denounced and persecuted solely for insisting upon a resort to negotiation and peaceful measures in this great controversy, they are especially grateful. Sooner or later it must come to this. Two years ago it would have been much better for the country had we succeeded in our efforts then; but Seward and Weed, as *you* well know, upon the one side, and the 'Albany Regency,' with Belmont, &c., on the other, as *I* well know, defeated the humane and wise purpose. The two years are gone—and great God, what a record!—but the sibyl returns; and if possible, let us *buy* this time.”

Mr. Vallandigham then enlarged upon the military power of the South, which still appeared formidable, and the great danger of foreign intervention with its attendant evils, and made several historical references in illustration of his views. In conclusion, he said:—

“I could fill many pages with details; for to me whose great study is and ever has been history, it is all before my eyes as if a reality. Can anything be done to avert it, or without it, the protraction of a most bloody and fruitless war for years longer? Now is the time. And if anything is begun, no effort must be spared to bring it to a successful conclusion; since, as Robertson in his *Charles the Fifth* remarks, unsuccessful negotiations only exasperate the parties whom they were intended to reconcile. But no negotiation will or can begin except on blank paper. My sole purpose in addressing you now, is to say that while I never have and never will combine with any party in the prosecution of this war, I am yet ready to lay aside all personal griefs, all remembrance of personal wrongs, and unite with any party or set of men in any honorable and patriotic effort, through negotiation and peace, to restore, if possible, the integrity of our common country, and avert the terrible ruin which impends it, and now hastens on every hour. If at any time I can thus be of any service in any capacity, I am ready for the work whenever and however summoned. And if the

men who are striving to thwart the efforts for negotiation and peace shall again succeed, it will become necessary ultimately — when, I say not — to associate, temporarily at least, and without any concealment or false pretence, all men, without reference to past questions, or even *other* future policies, into a party or alliance devoted to the great purpose of saving this country from either the dire ruin of *successful war* in the course of years, or of division and foreign intervention, protectorates or alliances. I write confidentially, and shall be glad to hear from you in like manner in return.

“Very truly, C. L. VALLANDIGHAM.”

Six days after this letter was written, the conference between President Lincoln and Secretary Seward upon the one hand, and Hon. A. H. Stephens and Judge Campbell upon the other, was held at City Point, near Petersburg, Virginia. The result of that conference was such that it dispelled all hope of peace, except through the bloody pathway of continued warfare. This attempt at adjustment of difficulties between the sections having thus utterly failed, the war was waged with unrelenting vigor; and seeing the hopelessness of the task, Mr. Vallandigham made no further effort to secure a settlement of the terrible controversy.

Early in April, however, the war was unexpectedly brought to a close by the surrender of General Lee. As soon as this was made known, there was great joy throughout the country. The night after the news reached the city, Dayton was illuminated, cannons were fired, and bonfires blazed. As usual on such occasions of public rejoicing, a portion of the community, not satisfied with the natural excitement of the hour, resorted to stimulants, and the saloons and groggeries were filled with excited and intoxicated men. A crowd of worthless fellows of the baser sort, full of malignity and bad whiskey, in the



evening came down in front of Mr. Vallandigham's house, where they groaned, hooted and yelled in the most frightful manner, alarming the lady inmates greatly. At last stones were thrown at the front windows, and in an instant Mr. Vallandigham appeared, pistol in hand, upon the porch. "I give you," said he, "two minutes to leave here; I fire this pistol in the air once, in two minutes more I shall fire into the crowd." As he spoke he fired upwards, and instantly the mob broke and ran. This cowardly mob was denounced by every decent Republican in the city, and the attempt to insult Mr. Vallandigham and his family was never repeated. During the campaign of 1863, several times whilst no one except the ladies of the house were at home, similar insults were offered; but after Mr. Vallandigham's return, except on the occasion just mentioned, no one dared to attempt the base outrage.

On the night of the 14th of April President Lincoln was assassinated. The news of his death produced an unprecedented state of feeling in the country, and carried sorrow and mourning to many hearthstones where his name had been almost execrated. Mr. Vallandigham was an avowed and open enemy of Mr. Lincoln. He believed, and justly too, that he had been by the President cruelly and outrageously wronged; but Mr. Lincoln's tragic and sudden death in an instant obliterated, at least for the time, all recollections of personal wrong and all feelings of personal resentment, and he immediately wrote these lines upon the sad event, which were published the next day in the *Dayton Empire* as an editorial:—

"Last night was a night of horrors in Washington. President Lincoln perished by the hand of an assassin. At any time this would have been monstrous — inexpressibly horrible.

Just now it is the worst public calamity which could have befallen the country. Great God! have mercy upon us! This is the beginning of evils. The hearts and hopes of all men—even of those who had opposed his policy earliest and strongest—had begun to turn towards Abraham Lincoln for deliverance at last. And not without reason; for his course for the last three months has been most liberal and conciliatory. But he has fallen by the most horrible of all crimes; and he who at this moment does not join in the common thrill and shudder which shocks the whole land, is no better than the assassin.”

About this time Mr. Vallandigham received an invitation to address the Young Men’s Democratic Association of Lancaster, Pennsylvania. Not being able to appear in person and deliver an address, he wrote a long and very able letter, which was immediately published in many of the papers and widely circulated. In that letter he did not attempt to recommend any general policy to be adopted by the Democratic party—the state of the country was too unsettled for that—but he urged the importance of a maintenance of the organization, adherence to its great leading principles, and the infusion of new life and energy in order to be ready for vigorous and effective action whenever the time for action should come.

On the 24th of August the State nominating convention met in Columbus. It was a large convention, composed of pure, patriotic, and intelligent men. Mr. Vallandigham was elected temporary chairman, and in taking the chair embraced the opportunity—the first that had offered—to return his grateful acknowledgments to the Democracy of Ohio for the nomination he had received at their hands two years before, and for the warm and enthusiastic support they had given him in those days of peculiar peril and trial.

Very soon after the meeting of Congress in December 1865, it became apparent that a breach was not only imminent but absolutely unavoidable between President Johnson and the party which had elected him. As the session progressed the controversy between the President and Congress became still more bitter, until in January 1866, he declared in vehement, impassioned language, upon the porch of the White House, open war upon the Radical party. If Mr. Johnson, when he broke off from his former supporters, had called to his assistance the foremost men of the Democratic party, had immediately remodeled his cabinet, and had suppressed his prejudices against the peace party of the North as well as against the rebels of the South, it would have preserved him from much vexation of spirit, given him a strong hold upon the people, and secured his complete triumph over his enemies. But unfortunately he drew the flattering picture in his mind of a man, and that man himself, becoming the foundation of a great party, which, dependent upon him alone, and guided entirely by his counsels, should sweep the land like a tornado, and place him once more in the Presidential chair. And thus in imagination he foresaw himself in the future as the rival in greatness of Washington, the restorer of peace and harmony to a divided people, and the second saviour of his country. He therefore exhibited during the years 1865, 1866, and 1867 a coldness towards the most prominent members of the Democratic party, and a positive animosity towards Mr. Vallandigham which he could not conceal. Yet at that time Mr. Vallandigham, more than any one man, had controlling influence over the masses of his party. Mr. Johnson was not governed by unpatriotic feelings in his course, but controlled by old

prejudices, and he underrated very much the importance of the allies whose warm support he could easily have gained, and greatly over-estimated his strength and ability to cope with his powerful adversaries. Notwithstanding Mr. Vallandigham soon learned that Mr. Johnson still cherished an ill-feeling against him, he gave the President in his struggle with his inveterate foes in Congress, his support, but not with the zeal and earnestness he would otherwise have displayed. Mr. Johnson, with all his faults of character, inordinate self-esteem, obstinacy, and unreasonable prejudice, while he did not exhibit profound sagacity in his contest with Congress, developed a firmness and moral courage which entitle him to the respect of his countrymen. Yet the manner in which he endeavored to enforce his policy, rather than that policy itself, was a misfortune to the people of his own section, and has had much to do in delaying the reaction against the Radical party.

In his refusal to assent to the Freedman's Bureau and the Civil Rights bills, he arrayed against him in fierce opposition the Republicans as a party; yet many men of ability, of position and influence, who had been strong supporters of the war, were enlisted under his banner. During the early part of the winter of 1866, two clubs were organised in Washington city, composed of such elements, with the purpose of sustaining the President. One of these clubs, known as the National Union Club, was founded by Hon. A. N. Randall, of Wisconsin, the Assistant Postmaster-General, and was composed principally of Republicans dissatisfied with the action of the Radical party in Congress. The other, styled the National Union Johnson Club, was composed largely of men of Democratic antecedents, such as T. B. Florence of Pennsylvania, Charles Mason of

Ohio, and Montgomery Blair of Washington. These two associations soon consolidated under the name of the National Union Club, and from this organization emanated the call for the Philadelphia Convention of 1866. The call for this convention was addressed "to all electors in the thirty-six States and nine Territories of the United States, and in the District of Columbia, who, in a spirit of patriotism and love for the Union, can rise above personal and sectional considerations, and who desire to see a truly National Convention which shall represent all the States and Territories of the Union," the purpose being "to hold counsel together upon the state of the Union, and to take measures to avert possible danger from the same." Mr. Vallandigham was distrustful of this movement from the start; there were men connected with it whom he regarded with suspicion, and he was apprehensive of a design to break up the Democratic party; nevertheless he accepted the appointment of delegate to the Convention, and went there with but little hope of seeing any good accomplished, but determined that any effort to destroy the great Democratic organization should be foiled.

The Convention met on the 14th day of August, in the Wigwam, a large building erected specially for the meeting in the city of Philadelphia. In numbers and the distinguished character of its delegates the Convention was a success; but it was composed of the most discordant elements, and too many of its members were professional office-seekers. Henry J. Raymond, of the *New York Times*, whose support of the President had been timid and wavering, under the circumstances was allowed to exert too much influence in its deliberations, as were others also whose treachery soon after to Mr. Johnson

showed plainly that they had never had any real sincerity in the movement. These were the very men who immediately upon the assembling of the Convention raised objections to the entrance of Mr. Vallandigham, Hon. Fernando Wood, and other prominent Democrats into that body. Mr. Vallandigham arrived in Philadelphia, and stopped at the Girard House, the day before the Convention met. As soon as his presence became known he was overrun with visitors. It was estimated that during his short stay in the city eight thousand people called to see him. His hand and arm became absolutely sore and wearied out by continual hand-shaking. At last he was forced to change his room, actually to hide away from visitors, as he was becoming entirely exhausted. The objection to his entering the Convention arose in the New York delegation, and was on account of his opposition to the civil war. The Ohio delegation, as well as Mr. V. himself, were highly incensed at this opposition to his admission to a seat, and there is no doubt that a majority of the Convention were in favor of his joining in the deliberations ; but as the question threatened to break up the meeting, or would at least produce an angry discussion, he at length consented, although against his own convictions of right and duty, to withdraw. When he sent the letter of withdrawal, he predicted that the result of the Convention would not affect to any extent the future politics of the country. In this, subsequent events proved him correct. Hon. J. R. Doolittle was selected permanent chairman, with a host of prominent politicians as vice-presidents. Every State and Territory was represented. Notwithstanding, however, the Convention was composed of many most able and influential gentlemen, and many of the most gallant and distinguished

soldiers of the Federal army participated in its deliberations, and the greatest enthusiasm existed during its sittings, it scarcely produced a ripple in the political current of the times. In fact it was an utter failure. On the second day of the Convention Mr. Vallandigham sent in his letter of withdrawal. The rules of the Convention were then suspended in order to allow it to be read. The letter is as follows:—

“GIRARD HOUSE, Philadelphia, Aug. 14th, 1866.

“*To the Chairman of the National Union Convention:—*

“*Sir:—*I have this day received from the National Union Committee, through the Hon. Wm. S. Groesbeck, chairman of the joint Ohio delegation to your Convention, a ticket of admission as a delegate from that State. The Hon. George W. McCook, chairman of the Democratic delegation from Ohio, has also communicated to me the following resolution, this morning adopted by that delegation:

“*Resolved*, unanimously, by the Ohio Democratic delegation, That we recognise the right of Clement L. Vallandigham, a duly elected delegate from the Third Congressional District of Ohio, to hold a seat in that Convention; that we should regard his exclusion from such a seat as an unjust, an unreasonable infringement of the rights of the Democracy of said district, and are ready to stand by him in the assertion of his rights and the rights of his constituents; that we endorse cordially the purity and patriotism of his motives, and his fitness every way to sit in said Convention; yet, for the sake of harmony and good feeling in the same, and in order to secure the great ends for which it is called, we consent to his withdrawal from this delegation, and from a seat in the Convention, if, in his judgment, his duty to his constituents shall justify such withdrawal.’

“Yielding my own deliberate convictions of duty and right to the almost unanimous opinion and desire of friends whose wisdom and soundness of judgment, and sincerity and purity of motives, I may not question, to the end that there shall be no pretext, even from any quarter, for any controverted question or disturbing element in the Convention to mar its

harmony, or hinder in any way the results to the cause of the Constitution, the Union, and public liberty which shall follow from its deliberation and its action, I hereby withdraw from the Ohio Democratic delegation, and decline taking my seat in the Convention. I am profoundly conscious that the sanctity and magnitude of the interests involved in the present political canvass in the United States are too immense not to demand a sacrifice of every personal consideration in a struggle upon the issue of which depends, as I solemnly believe, the present peace, and ultimately the existence of free republican government on this continent.

"Trusting that your deliberations may be harmonious, your proceedings full of the spirit of wisdom and patriotism, and its results crowned with a glorious and a saving triumph in the end to the great cause in which every sympathy of my heart is enlisted, I am, very respectfully, &c.,

"C. L. VALLANDIGHAM."

The canvass of 1867 in the State of Ohio was exceedingly animated. Mr. Vallandigham entered upon it with his accustomed energy and earnestness. He visited every section of the State and addressed between seventy and eighty meetings; "and it is a remarkable fact," said a Democratic paper at that time, "that wherever he spoke, the Democracy in those counties made proportionally larger gains than in any other portions of the State. Republicans came to hear him by thousands and went away divested of their insane prejudice against him. The opposition endeavored to make all the capital they could out of his identification with the canvass, but it was all to no purpose." The Democracy triumphed. They elected a majority in the Senate and House of Representatives, and thus secured the election of a United States Senator, which was the great aim and object of the contest. There was great rejoicing over the result. Jubilee meetings were held in various parts of the State. A very large one assembled at Mt. Vernon on the 24th



day of October. Mr. Vallandigham was present, and delivered an able and eloquent speech. A correspondent of the Cincinnati *Commercial*, who was present and reported the speech, thus writes of the meeting and of Mr. Vallandigham's effort:—"At Mt. Vernon yesterday the crowd was immense—larger, I think, than I saw at any meeting of the campaign recently closed. . . . As he [Mr. Vallandigham] passed through the streets of the town from the railroad depôt in an open carriage, the people swarmed around him to feast their eyes upon him, and if possible to shake hands with him. . . . He spoke with more vim and spirit than I had ever heard from him, and the repeated plaudits of his audience told with what effect he was addressing their Democratic hearts." The following are extracts from the speech:—

"First, men of Knox, I give fervent thanks to almighty God for the blessings of this day. Next, to you, my friends, I make hearty acknowledgment of the earnest, devoted, passionate enthusiasm of this reception. There is no speech nor language, dead or living, strong enough or copious enough to express the emotions of my heart at this moment.

'Could I embody and unbosom now  
That which is most within me—could I wreak  
My thoughts upon expression, and thus throw  
Soul, heart, mind, passions, feelings, strong or weak,  
All that I would have sought, and all I seek,  
Bear, know, feel, and yet breathe, into ONE word,  
And that word were lightning, I would speak.'

"But pardon me, men of Knox, if, subduing my own swelling but voiceless thoughts and emotions, I beg that yours, too, may be hushed for a moment, while calmly and through historic narrative I call your memories back to the events which to-day we commemorate. And I am sure furthermore, my friends, that you will extenuate at least the seeming, not real, egotism which demands continued reference to myself as a principal actor in the scene.

“Four years and six months ago I stood upon this very spot to address thousands of my fellow-citizens, assembled openly and publicly, under the law and according to the Constitution, to consult for the common good, to instruct their representatives, and to petition for redress of grievances. I myself, too, had been proclaimed a candidate for nomination to the office of Governor of Ohio. Wherefore the people had a double right to hear, and I a two-fold claim to be heard. Yet my presence upon that day was almost constrained. Engagements required me elsewhere. But yielding to the urgent entreaties of your messenger specially deputed for the purpose, I came, not as orator of the day, but to fill a place in the programme of your proceedings, and I spoke, feebly indeed, yet with words of honesty and truth. That other speech, making an issue with the petty tyrants of the day, and responsive to ‘General Order No. 38,’ and the other orders dated at Indianapolis, and more atrocious still, forbidding all criticism of the acts and policies of the Lincoln Administration, was delivered the evening previous, upon consultation and after meditation, from the steps and amid the columns of the Capitol at Columbus. But the spies and hirelings of him whose name I loathe to utter [applause], stripped of their military uniform, and dishonoring for a while the garb of honest citizens, had been ordered to Mount Vernon; and here leaning upon the platform and tainting the air of heaven with their foul presence, they did a work of infamy without example in military annals. [Applause.] They did it in secrecy, and they did it in safety. Had they been known, and their mission understood, the scattered members of their worthless carcasses [applause], torn and wrenched and tossed by the arms and hands of ten thousand infuriate freemen, would have strewn the ground, a prey to lean dogs and hungry vultures, ‘gorging and growling over carcass and limb’ [applause], if vulture and dog could consent to crunch and mumble and feed upon such flesh as theirs. [Applause].”

After giving at considerable length an account of his illegal arrest, iniquitous trial, and unjust banishment, he continues:—

“And to-day, men of Knox, I am again in your midst, a freeman, to speak to and for freemen as brave as God ever made among the children of men. [Great applause.]

“And now, my friends, allow me to recur to the scenes upon this spot four years and a-half ago. We were then in the midst of a civil war the most gigantic in numbers, in material, in effort; the grandest in proportions, the bloodiest and most destructive and desolating, and the most penetrating and far-reaching in its results and consequences, immediate and remote, ever waged—a civil war between thirty millions of people, a compound race, full of intellect, of courage, of will unconquerable, set on fire by passion, and the most belligerent and inexorable on the globe. The earth trembled under the tread of their armies; the heavens reverberated the shock of their battles; almost an entire continent was the theatre of the conflict, and for four years it raged with the fury of the hurricane.

“We were then, also, in the midst of a civil revolution, the most extraordinary ever recorded in the history of free governments—a revolution before which the Constitution was overthrown, the Union dissolved, and liberty crushed out beneath a military and civil despotism the most searching, the most complete, the most appalling ever established in a republic; a despotism combining the madness and license of the mob with the system and discipline of the military—a despotism to which fear in tyrants, ambition in generals, hate in churchmen, and madness in all, gave a cruelty, a desperation, a venom and a fury which smote and consumed and devoured as it walked in darkness or wasted at noonday. Freedom of speech, of the press, of public assemblages, and of the ballot, had all perished in every Border State South; and the ‘Butcher of Fredericksburg,’ writhing and infuriate under defeat, had just been deputed to extinguish the last lingering spark of liberty in the Northwest. Once before, indeed, she had been assailed in the United States, and for a similar purpose—to suppress and crush out the opposition of the Democratic party under Jefferson to the French war of ’98, stirred up by the Federal party under the elder Adams; and my distinguished friend here, Gen. Geo. W. Morgan, statesman in peace, hero in war, chivalric gentleman at all times, bears in his veins the blood of a martyr to freedom of the press five-and-twenty years before I was born. But the re-action came; the Democratic party triumphed, and the Constitution was ‘saved at the last gasp.’ [Applause.]

"Under circumstances such as I have described, you, the men of Knox and of other counties near you, assembled upon this spot, sacred thenceforth and forever to liberty, to the number of more than ten thousand. 'Twas May-day in the year of grace 1863. The sun shone brightly; a thousand banners streamed peacefully in the gentle breeze; every bird was upon the wing, and the forest rang vocal to their cheering melody. The flowers, too, lent their sweetest perfumes, and the blue sky above was

'So cloudless, clear, and purely beautiful,  
That God alone was to be seen in heaven.'

"But while all nature thus gave signs of good-will throughout her realm, and God commanded peace through all His works, far other was the scene which man had ordained for the passions of his heart and the labors of his hands. Mars drove heavily and headlong his fiery chariot, while Terror, with gorgon head, turned Religion and Pity and Mercy into stone. Your assembling, men of Knox, was an act of courage unsurpassed in history. Not Grecian, nor Roman, nor Swiss, nor English heroism ever excelled it. The days of the Tells, and the Stauffachers, and the Winkelrieds of history, and the Biedermanns and Donnerhügels of fiction; of Bruce, of Hampden, of Sidney, and of Russell, had returned in America; and proudly, bravely, boldly we all met the crisis. You demanded that I should speak in your name, and I obeyed, hurling defiance at tyrants and usurpers and defilers of the holy temple of liberty wheresoever found. Standing here upon this spot, and under the same flag which floats now from the platform, I declared the war 'cruel and unnecessary;' and it was. [Cries of "That's so."] So had said Abraham Lincoln: 'not waged for the preservation of the Union;' and it was not; 'but for the purpose of crushing out liberty and establishing a despotism;' Congress has so enacted, and who to-day doubts it? 'A war for the freedom of the blacks;' so it was, and this is now the boast of the leaders of the Republican party: 'a war for the enslavement of the whites;' and to-day the wailing cry of six millions of white men, disfranchised, burdened, oppressed, bruised, and crushed under the heel of a military despotism, established, not under the Constitution, but by warrant of the right of conquest, attests the prescient truth of the declaration. 'Order 38

a usurpation of power ;' and such it was, soon after trampled under foot, despised and spit upon by thirty thousand freemen assembled in Ohio's capital. 'That I was at all times and upon all occasions resolved to do what I could to defeat the attempts which were being made to build up a monarchy upon the ruins of free government.' Was ever prophecy so fulfilled? And here, to-day, in presence of twenty thousand freemen of Ohio, on bended knee, and upon this the self-same spot, I thank my God that I have been enabled to keep the resolution; and now in His presence, and before you my witnesses, I renew the holy vow, and swear by the great white throne and Him who sitteth thereon, that, slavery having perished, the Union of our fathers, and the Constitution of our fathers, and the liberties secured by them, shall be preserved to us and our children's children forever! [Applause.]

"Far other scene, men of Knox, is witnessed here now. In the calm of an autumnal day, with a mellow October sun shining down cheerily upon us, not ten, but twenty thousand freemen greet the return of the exile and bid him good cheer! [Great applause.] There is no war in the land to-day, no military despots here, no arbitrary arrests, no military trials, no 'orders' of whatsoever number, no provost-marshal, no judge-advocate, no conscriptions, no bastiles, no mobs, no assassinations, no exile, no scaffolds. [Applause.] There are no spies here to-day to pollute this sacred presence. In peace, in ease of mind, in the 'truce of God,' in security, with joy welling from every heart, beaming from every eye and speaking from every tongue, in shouts such as only freemen can send up, till the hollow concave above us rings again, we are assembled to celebrate the grandest political triumph ever achieved. [Applause.]

"And now, my friends, without further exultation, allow me, in humbler and more measured tread, to recur to the lessons which this extraordinary victory teaches us. And, first of all, I reckon faith in God and the right, and along with these the patience which, steadfastly and without doubt or question, abides the leisure of Him who doeth all things well. There is something more than sublime in that faith which, walking not by sight, sees yet the future as the present, and catches the first faint echoing of the footsteps of the Hereafter as he treads slowly but surely along the corridors of Time.

Such has been the faith of the heroes and the martyrs, the actors and the sufferers of every age and clime. . . .

“Another lesson of this great victory, men of Knox, is not the duty merely, but the profitableness of a stern, inflexible adherence to principle. The Democracy of Ohio, turning a deaf ear to the glozing, whispering, ghastly delusion and snare of ‘policy,’ so-called and miscalled, which would fain bargain, and cheat, and steal into office and power only to raven like the wolf and divide the spoil, have fought and won this fight upon the ancient, the straightest, sternest, ruggedest issues and doctrines of the party. They yielded not an inch; and throughout the entire canvass, as for years past, they stood by and upheld the men who had been singled out as the special objects of Radical odium and reproach. They loved and honored, above all, those whom the Republican party hated and affected to despise. They murmured not against their leaders, though they had neither manna from heaven nor water from the rock. And to-day they possess the heritage of their enemies. Courage, men of Knox, courage! Stand by principle, and by the men who represent principle, and not the mere policy and spoils of political warfare.

“Next, and with peculiar pleasure, let me bestow the meed of praise upon the gallant volunteers of Ohio, two-thirds of whom united with the Democratic party in the recent conflict. Soldiers, you did a work of courage high above that which on the battle-field gave you a name to live in American history. In the beginning you rallied to the old flag of your country, asking no questions of pay or pensions or bounty, assured that this Union was imperiled and the Federal authority mocked by rebellion. The Constitution, the Union, the flag: these were the battle-cries which called a whole people to arms. Once enlisted, in a little while the illusion vanished. But the strong arm of military discipline held you. Then, cut off from all intercourse and communication with home, except such only as was permitted to one party alone, you were taught to regard your fathers, your mothers, your brothers, your sisters, all who adhered to the Democratic party, as enemies and traitors to their country. I who speak to you here to-day, was above all men so reviled. But the war ended. You made your last march, your last bivouac; saw the last embers of your camp-fires, heard the last gun fired and the last drum beat, and listened

at length with eyes full of tears and hearts full of joy to the swelling notes of the final 'recall' which spoke to you of home and hearth-stone and mother! You are here, God be praised, though many a comrade's bones and dust repose in a far distant soil. You are here, your own masters, to judge and act and vote as you will. The false practices of those who imposed upon or tyrannised over you, stand revealed to-day — their real acts in the past, their real designs for the future. Your eyes are opened. The accumulated frauds and falsehoods of six years have perished before your scrutinising vision. And now to you, 'Boys in Blue,' in this presence, and before these my witnesses, let me say that all you ever heard and all you ever read charging me with hostility in thought or word or deed, at any time or in any place or in any station public or private, to you personally or as soldiers, is totally and absolutely false. We differed as to the war. You had a right to your opinions; I to mine. These are the same now as in and from the beginning. As to yours, answer for yourselves in the light of the history of the past six years. But now, and here, upon this spot, bring forward any responsible endorser of the falsehoods I have denounced, any man of note, prince or peer, from highland or lowland, from far or near, and I will tell him to his teeth,

"Lord Angus, thou hast lied."

"Finally, men of Knox, we have won a great and magnificent victory. What shall we do with it? Upon this question, so comprehensive, so significant, so momentous, depends not merely whether the Democratic party shall go forward to future and further triumphs, but whether it shall live. If it shall be true to principle, true to the men who represent principle, full of courage, hearkening to no timid counsel, yet securing harmony and good-will in its ranks; if firmly and with inexorable purpose it shall do the work appointed for it, and with all this, shall combine wisdom and honesty and moderation and justice in all its acts; above all, if in every measure and utterance outside the limits of mere party organization, it shall consult the good of the country, and not of party, or, baser still, the men of the party, it will rule again in the affairs of the State Government and the Federal Government for a hundred years to come. But if, taking counsel of the timid, the venal, the corrupt, it shall shrink from an absolute and courageous

assertion of its principles, and enforcement of its policies and vindication of its public men; if it shall halt one jot or tittle in its support of the issues upon which it won the fight; if it shall permit dissension and discord as to candidates or upon policies and measures of legislation; especially if, forgetting that it is a Democracy, it shall have regard rather to the interest of capital than of labor, of the rich than the poor, the few than the many; and shall consider section, or party, or self, rather than the country and the whole country — in the day that it shall eat of such fruit it shall surely die, and upon its gravestone, for monument it will have none, shall be inscribed the lamentation of Carthage over her greatest son, 'You knew how to conquer, but not how to use the victory.' [Great cheering.]"

Mr. McCulloch, the very able correspondent of the Cincinnati *Commercial*, who reported this speech, wrote on the same day the following letter from Mount Vernon, in which he gives some interesting gossip in relation to the contest for United States Senator which followed the election of 1867.

"MOUNT VERNON, OHIO, October 25.

"While the Democratic party of Ohio was in a minority that seemed hopeless, and would have remained so but for the indiscreet zeal of its opponents, its leaders were a band of brothers, united by a tie of fraternal affection equaled only by that recorded of David and Jonathan, Castor and Pollux, Damon and Pythias, or other loving ones whose mutual admirations are the subjects of sacred and profane histories. A year ago, if Vallandigham had been asked who was the greatest of living statesmen, he would have unhesitatingly responded 'George H. Pendleton;' to the same inquiry Mr. Pendleton would have responded, 'Clement L. Vallandigham.' . . .

"There are some features of this contest worthy of especial note, and it is for the purpose of mentioning a few of them that this letter is written. First, the subterranean bitterness with which it is being conducted ought to be noticed, because it is in such contrast with the spirit of brotherly love that appears on the surface. Vallandigham's friends are swearing



blue vengeance upon all who refuse to support him, or who assert that to elect him would injure the prospects of the Democratic party in the future; and Val. himself answers all such objections by appeals to history and philosophy, and the proverbial zeal of new converts. When the fear is expressed that his election would drive back to the Republican ranks all the accessions made to the Democracy in the late elections, he replies that those who voted the Democratic ticket for the first time this fall are more ultra Democratic to-day than those who have been voting it all their lives. Another remarkable feature of the fight is the difference of opinion between the Democratic people and the Democratic politicians on the subject of Vallandigham. Of those who voted the Democratic ticket on the 8th of October, a very large majority would unquestionably vote Vallandigham into the Senate if the matter were submitted to them for decision, and yet in many places where he is strongest with the people he is weakest with the politicians. It is difficult to account for this inconsistency in a party professing so much faith in the *vox populi*. My own impression is that the true solution of the problem is to be found in the jealousy of Vallandigham's popularity which pervades the breasts of many would-be leaders of the Democracy, rather than in any well-meant efforts to secure or preserve the ascendancy of the party by keeping such an 'extreme man' in the background. The latter is a very convenient pretext, and its diligent application in the case of Vallandigham has many parallels in the political history of this and other countries. It is not the first time that mediocre talents have yelped themselves into official station by an unmeaning outcry against men who differ from their possessor principally in having more brains. . . .

"I shall not attempt to account for Mr. Vallandigham's popularity among the Democratic masses; least of all shall I attribute it to the same cause to which I attribute his unpopularity among the Democratic politicians. I have attended two 'jollification' meetings recently, and have seen at each such demonstrations in the direction of hero-worship as are seldom exhibited in this country. . . .

"The speech occupied a little over an hour in its delivery, and I thought that at its conclusion the assembled Democrats would quietly disperse to their respective homes. But not so.

The ovation, instead of having ended, had just commenced, and for about an hour there was such a scene of wild confusion, produced by attempts to congratulate the speaker, as seldom witnessed by any one, and I hope will never again be witnessed by me except from a respectful distance. They crowded around his carriage, they choked every avenue of travel about him, and conducted themselves in a general way like so many lunatics. . . .

“Meantime, while the people are enthused for Val., the politicians are calmly surveying the scene and calculating the results. As far as I can learn, a majority of the Democratic members elect to the Legislature have expressed themselves in favor of Judge Thurman. There is a possibility that Mr. Pendleton may come in as a compromise candidate, or rather there was such a possibility before the *Enquirer* threw cold water on it by nominating its favorite for the Presidency. The greater does not include the less in politics, and if Mr. Pendleton is a candidate for President he can't be made Senator—that's certain. The quarrel is a little mixed as it stands, and promises to wax into extreme liveliness before it terminates. Val.'s strongest point is that the Republican party made the issue on him, and that the election of a Democratic Legislature meant his election as Senator.”

The contest for Senator between Mr. Vallandigham and Judge Thurman at the commencement of the year 1868, was carried on by their respective partisans with great earnestness and bitterness. Nearly all the Democratic politicians of the State were enlisted in it, and went to Columbus to join in the conflict. The principal objections urged against him were his radical Democracy, his alleged rashness, and the prominent part he took in opposition to the war. When the caucus met, Judge Thurman received the nomination by a decided majority. It is useless to conceal the fact that Mr. Vallandigham was deeply chagrined at this result. The Senatorship had been his life-long aspiration, and he felt keenly at the time, and deeply till the day of his death, the disappointment of

his defeat. It was the only defeat he ever suffered (and he was not a fortunate politician) that really grieved him, or caused him more than momentary mortification or depression. He did not waste his breath or degrade his character by unmanly repining, but when he returned home from Columbus upon this occasion, he appeared for days as if a dark shadow had fallen upon his soul.

On the 4th of July, 1868, the Democratic Convention to nominate candidates for President and Vice-President of the United States, met in the city of New York. Mr. Vallandigham, although not a delegate, went on to New York and took up lodgings in a quiet, retired portion of the city a few days before the Convention. He did not come on to work for any candidate, at least not at first; for on account of a coldness which had unfortunately arisen between Mr. Pendleton and himself, growing out of the Senatorial contest, he would not give that gentleman his active support; and yet on account of old memories of friendship, and because Mr. Pendleton was the favorite of the Ohio Democracy, he would do nothing against him. He was persuaded, however, that the only hope of assured success to the Democracy was the nomination of Chief-Justice Chase. Nor did he regard the support of Chase as inconsistent; for that gentleman had always been a Democrat in principle, and an extreme State rights man, differing from the old orthodox Democracy only upon those questions which had been finally settled by wager of battle. In the course of events in the Convention it soon became necessary to strengthen the Ohio delegation. and Mr. Vallandigham for this purpose was substituted for another gentleman. He immediately dropped all recollection of personal grievances, and steadfastly

and earnestly supported Mr. Pendleton until his name was withdrawn. The contest after this seemed to be between Gen. Hancock and Mr. Hendricks. Mr. Pendleton had written a letter favorable to the nomination of Mr. Seymour, to be used if it should prove necessary to withdraw his own name; and Mr. Pendleton's friends were determined that Mr. Hendricks should not be the nominee. They were influenced by two reasons in their opposition to Mr. Hendricks: first, they accused his friends of acting in bad faith towards Mr. Pendleton; and second, they considered that the nomination of the Indiana Senator would destroy all chances for their favorite in 1872, it not being likely that two Western men living in States contiguous would be nominated successively by the Democrats. Mr. Vallandigham still regarded the nomination of Mr. Chase with favor, but necessarily he was governed to a considerable extent in his course by a consideration of the future interests of Mr. Pendleton and by the views of Mr. Pendleton's friends; he had, however, no shadow of personal enmity to Mr. Hendricks. The night of the 8th of July was one of feverish excitement in New York amongst all who were interested in the result of the Convention. Mr. Vallandigham scarcely slept during the whole night; and he was consulted by men from nearly every State in the Union. Early in the evening it was decided to withdraw Mr. Pendleton's name, but every one was in the dark as to what would be the result of this movement. Towards morning the knowing ones were confident that it would be speedily followed by the nomination of Chief-Justice Chase; owing, however, to circumstances which we have not space to detail, the Ohio delegation presented the name of Horatio Seymour, who on the next ballot—the 22d—received 317

votes, and was immediately after unanimously declared the nominee of the Convention.

After the New York Convention Mr. Vallandigham returned home, and for the time devoted himself exclusively to the editorial management of the *Dayton Ledger*, in which paper he had then a proprietary interest. The Congressional canvass was coming on in the Third District, and it was generally conceded that Gen. Schenck would again be the standard-bearer of the Republican party. Two years previous Gen. Schenck had beaten the Democratic nominee, Gen. Durbin Ward, 1067 votes. The question among Democrats was, "Whom shall we enter against Schenck?" Gen. Ward early announced himself as a candidate, but not before assuring himself that Mr. V. had no ambition in that direction. Many leading Democrats of the District waited upon Mr. V. and asked him to be a candidate, but to all he made but one reply: he would not be a candidate. At that time there was a reasonable hope that the reaction had come that was to carry the Democracy into power. To all of his friends Mr. Vallandigham said: "If we are successful this fall in the election of a Democratic administration, I shall hope for something better in politics than a seat in Congress; without a Democratic administration I have no desire to become a member of that body." In this determination he was fixed and unalterable, though urged as few men have ever been to allow the use of his name. With the understanding that Mr. V. would not be a candidate, several other prominent Democrats entered the arena. Among them were Hon. Christopher Hughes, of Butler; Stephen Crane, Esq., of Butler; and Jonathan Kenny, Esq., of Montgomery. In the meantime Mr. Vallandigham, expressing the

kindest feelings for all the candidates, made no secret of his preference for Mr. John A. McMahon. He seemed to think that Mr. M., being a popular man in both Butler and Montgomery Counties, and in fact throughout the District, would be the most available candidate to cope with Schenck. He knew the foeman and the nature of the struggle. Mr. McMahon opposed the proposition to make him a candidate from the first, despite the urgings of Mr. Vallandigham.

The nominating convention was held at Hamilton, Butler County, on Tuesday, the 18th day of August. Up to the morning of the convention the political status was precisely as above indicated — Mr. McMahon stoutly protesting against his proposed candidacy and Mr. Vallandigham insisting, with the belief that if the nomination was made Mr. McM. would accept. Before the assembling of the Convention it was made known that Mr. McMahon had placed in the hands of Hon. Geo. W. Houk a positive letter of declination, which he instructed him to read to the Convention in case of the presentation of his name. This fact was telegraphed to Mr. Vallandigham, then in Dayton. His response was that Houk must be prevailed upon to withhold the letter. He sent a number of telegrams to this effect to his friends, and finally, as a *dernier resort*, telegraphed that if possible McMahon should be nominated over his letter and against his protestation. We mention this fact in order to impress the point that Mr. V. had no wish to be a candidate, but that he was firmly devoted to Mr. McMahon. The charge of bad faith, afterward made against him, was without ground and wholly unwarranted.

The Convention met at 10 o'clock at Opera Hall, and Hon. Geo. W. Houk, of Montgomery, was made chairman. It

was apparent from the commencement that a strong feeling existed in the Convention in favor of Vallandigham. Many believed that he of all others was the man to meet and battle Schenck, but the general understanding that he would not be a candidate served to divide up the vote among the other candidates in such a way as to deprive any one man of a majority. The struggle seemed to be between Gen. Ward and Hon. Stephen Crane. The nominations made were as follows: Durbin Ward, of Warren; Christopher Hughes, of Butler; Stephen Crane, of Butler, and Jonathan Kenny, of Montgomery. On the first ballot Ward received  $28\frac{1}{2}$  votes; Hughes  $15\frac{1}{2}$ ; Crane 17, and Kenny 1; whole vote 62; necessary to a choice 32. The second ballot resulted, Ward  $29\frac{1}{2}$ ; Crane 18; Hughes  $11\frac{1}{2}$ , and Kenny 2. At this point the Butler County delegation asked and obtained leave to withdraw for consultation. It should be here observed that Mr. McMahon was placed in nomination after the first ballot, but the President refused to entertain it in view of his positive instructions. Upon the return of the Butler delegation, Peter Murphy withdrew the name of Mr. Hughes. The name of Mr. Crane was withdrawn about this time, and Mr. Samuel Dickey arose, and in a brief but stirring address placed in nomination C. L. Vallandigham. The suggestion was received with storms of applause, and for ten minutes it was impossible to quell the enthusiasm which the announcement evoked. Order being restored, a vote was had, which resulted as follows: Vallandigham,  $51\frac{1}{2}$ ; Ward,  $10\frac{1}{2}$ . A scene ensued upon the heels of this announcement seldom if ever witnessed in a similar body. Cheer after cheer went up, hats were tossed into the air, old men swung their coats above

their heads, and for the time it seemed that the representative Democracy of the Third District had gone mad with joy. It was an ovation such as any man might well be proud of.

That night a committee which had been appointed to notify Mr. Vallandigham of his nomination, waited upon him at his home in Dayton. He received them cordially, and in a brief speech accepted the nomination, as coming spontaneously from his friends and political associates. He again reiterated his feeling in reference to the nomination, and assured his friends that he had not sought the honor.

It cannot be denied that at first there was considerable opposition in the party-ranks to the nomination of Mr. Vallandigham. It came from the friends of defeated candidates and those who believed that Mr. Vallandigham had already received sufficient marks of confidence from the people of his district, but in less than two weeks all differences were healed. Mr. Vallandigham at once went to work with an energy and will such as few men ever possessed, and gave his friends to understand that he appreciated the nature of the task before him. Schenck immediately came into the district, backed by the money and influence of Eastern capitalists who appreciated the need of the continuance of the great "tariffite" in Congress, and such a battle was fought as was never fought in the political history of Ohio. It was a national struggle. Both men were regarded as true representatives of party; the district was at that time rather closely divided, and the eyes of the whole country were upon them. Never in Mr. Vallandigham's career did he exhibit such political sagacity, untiring zeal, indomitable will, and power for organising, controlling, and marshalling political hosts. He seemed to be ubiquitous. The



second week of the campaign found hundreds of men enlisted under his banner who had in times past been his bitterest enemies. Many who but a few months previous had fought him, now stood in the front rank of his army. During the campaign he spoke nearly every day. He went all over the district, and everywhere gave personal supervision to the canvass. When at home he worked every night in his office, writing letters and making personal appeals. It is believed, and in fact he so stated himself, that during that memorable campaign he did not average more than four hours' sleep in twenty-four. Schenck imported to the district the best talent and most aggressive orators upon the Radical side. Vallandigham fought almost single-handed and alone.

In the early part of the fight he received from Washington that which promised at first to be a substantial aid. It was an assurance from Hon. Montgomery Blair, at that time prominent in the councils of the Johnson Administration, that no revenue appointments would be made for the Third District which had not received his (Vallandigham's) recommendation. Schenck was not long in finding this out, and by appealing to Commissioner Rollins, managed to thwart the movement which promised to give the Democracy the control of the large army of revenue officials in the Third District. Mr. McCulloch, Secretary of the Treasury, could appoint the storekeepers under the revenue law, but the power of *assignment* belonged to Mr. Rollins, the Commissioner of Internal Revenue. Mr. McCulloch made seventeen appointments at Mr. Vallandigham's request, but General Schenck succeeded in persuading Mr. Rollins, who was a Radical, to refuse to assign any of Mr. McCulloch's appointments. The effect was that through Mr. Rollins' refusal

to assign, sixteen distilleries were kept idle in the Third District during the whole campaign, causing a loss of revenue to the Government estimated by the Collector at about \$10,000 a day.

Mr. Vallandigham was sanguine from the commencement. His positiveness was infused into doubting friends, and many votes were made to him through the exercise of this peculiar trait of character. He honestly and sincerely believed up to the night before the battle that his election was assured. On the day of the election he went in person to the Soldier's Home, near Dayton, where arrangements had been made by the opposition to poll against him the votes of several hundred non-residents, but by his presence and his clear enunciation of the statute he thwarted the enemy and prevented the outrage. For this act he was afterward severely censured by the partisan Radical press, but subsequent events proved the wisdom and even policy of his course.

An immense amount of money was spent during the campaign by both parties. The number of votes cast was very large, and warranted the suspicion that a good many of them were illegal. The vote was as follows :

	Vallandigham.		Schenck.
BUTLER.....	5,333	...	3,200
MONTGOMERY.....	6,557	...	6,440
PREBLE.....	1,979	...	2,769
WARREN.....	1,949	...	3,884
	<hr/> 15,818		<hr/> 16,293

— Schenck's majority, 475.

The night of the election, scores of telegrams were received in the District from all parts of the country asking the news ; several from Washburne who that night was sitting

up with General Grant to learn the result of the elections. The disappointment of Mr. Vallandigham's friends was very great, even much more than his own, and it had a most depressing effect amongst his own party all over the State. Although beaten, the result showed that Mr. Vallandigham had been steadily gaining in popularity for years. The addition of Warren County in 1860, with a Republican majority of 2,000, to the old Third District, made it very strongly Republican. But a comparison of the vote for years in the old District first represented by Mr. Vallandigham shows how steadily he was gaining control over the hearts of the people. In 1854 he was beaten 2,562; in 1856, 19 (including illegal votes); in 1858 he carried the old District by 188, in 1860 by 134, in 1862 by 700, and in 1868 by 1,452. At the Presidential election Grant carried the District by a very large majority.

In January 1870 Mr. Vallandigham formed a partnership with Hon. Daniel A. Haynes, who had been the Superior Judge of Montgomery County. From this time he earnestly addressed himself to his duties as a lawyer; and his practice, which had long been greatly neglected, continually increased, so that at the time of his death it was very large and lucrative. As a jury lawyer he was probably excelled by few in the United States in eloquence and general effectiveness, and it is unfortunate that none of his speeches in the many important cases he tried between the years 1865 and 1871 were ever reported, for in the judgment of able critics many of his efforts at the bar were finer specimens of real eloquence than those in Congress and on the hustings. He took very little part in politics during the years 1869 and 1870. In the latter year

Hon. L. D. Campbell, his former political rival and adversary, was nominated for Congress by the Democrats of the District against General Schenck, and Mr. Vallandigham gave Mr. Campbell his cordial support. Finding a few days before the election that in defiance of the decision of the Supreme Court of the State an effort would be made by the Radical party to poll the votes of the inmates of the "Soldier's Home" near Dayton, he determined to see to it personally that this violation of law should be thwarted. The effort was made, but early in the morning Mr. Vallandigham arrived on the ground, and by his boldness and firmness the attempt of Mr. Schenck's friends to poll over six hundred illegal votes was entirely defeated. This secured the election of Mr. Campbell. The decision by which the "Soldier's Home" vote had been declared illegal was made in a case which Mr. Vallandigham argued before the Supreme Court; and the judges of the Court, all of them members of the Republican party, had unanimously concurred in the decision.

At a jubilee meeting held in honor of his election, Mr. Campbell referred in the following terms to Mr. Vallandigham's conduct during this campaign:—

"I thank, from the bottom of my heart, those magnanimous Democrats who came forward to the rescue, and helped carry me through triumphantly in this campaign. [Applause; and cries of "Yes, yes, we'll always do it."] It would be impossible for me to single out and name the prominent individuals of the Democratic party to whose individual action might be attributed this success. There are many who had a sufficient influence in their respective neighborhoods to have produced my defeat if they had used that power. But there was one man of prominence—one man known and recognised, not merely by the Democracy of this district, but by the Democracy of the

entire nation, as one of eminent ability, who had occupied high positions in the party — whom you have often delighted to honor [enthusiastic applause] — a single individual who, after my nomination, might have accomplished my defeat by a nod, by a wave of his hand, by the wink of his eye — a man who, unlike those I have described, a man upon whom I had no claim personally or politically, with a magnanimity unequalled by anything that I now recollect of, came forward and labored assiduously to enable me to triumph over those miserable and pitiful efforts of my enemies. [Applause.]

“I say that I had no personal or political claims upon him, and I am here to-night proudly to acknowledge to my neighbors and countrymen that in this contest he gave evidence of a magnanimity that I could not have claimed for myself. That man is C. L. Vallandigham [tremendous applause]; and without going, my fellow-citizens, into a detail of what he has done, let me refer to this one fact, that it is to his ability as a lawyer, and to his untiring efforts, that the question as to the constitutional right of the inmates of the ‘Soldier’s Home’ to vote was brought before the Supreme Court, and there decided in the negative.”

Just before the jubilee meeting where Mr. Campbell delivered this speech, a meeting of a similar character was held at Dayton which Mr. Vallandigham addressed. In the course of his remarks he took the occasion to give the colored voters, of whom quite a number were present, judicious advice in these words: —

“And now allow me a word to our newly made voters of African descent. I have no apologies to make to-night for anything in opposition to them which I may have said in times past — nothing now to take back. My opinions upon the question of negro suffrage and equality remain unchanged. [Loud cheers.] But you have in fact, at least, been made citizens and voters, and I recognise the fact. Some of you speak of me as an enemy of your race. This is not correct. Individually I have been your friend. I have taken you

by the hand when your now white Republican friends shunned and cursed you. At my doors some of you have received that charity, in years past, which was denied you at the hands of your Abolition friends, so-called. [Cries, "That's so, we know it."] No colored man ever asked a personal favor of me for years past and was denied; and as well before you had suffrage conferred upon you as now, I would have protected you in court or against a mob quite as willingly and as earnestly as any other man. But my opinions as to the question of conferring political rights upon you in this country were honestly entertained and candidly and strongly expressed. Yet, if you shall prove yourselves worthy of these rights and capable of exercising them as good citizens, I will then very cheerfully, and in a manlike manner, publicly confess myself mistaken. Your future is in your own hands. But remember that you do not hold the balance of power in this county, nor in this district. [Loud cheers.] You cannot control things by your votes; numbering several hundred voters here, you are yet rather a source of weakness than of strength to the Republican party; and you owe nothing to that party except the mere right to try the experiment of suffrage. They did not confer it upon you for your sakes, but for their own as partisans and demagogues. [Loud cheers.] They wanted your votes to put themselves into office and keep themselves in power. Beyond this they care nothing for you. [Cries of "That's so: you're right."] The mass of you were personal slaves, or the descendants of slaves in the South before and during the war. At the point of the bayonet they freed you, only now to make you, if you submit, political slaves for their own profit and advancement. And now, I, who owe you nothing, and to whom you owe less than nothing politically, warn you not to organise as a colored party. Beware of threatening or attempting to make all of your own race act and vote as a distinct body. If you do, then be assured that sooner or later the white race will antagonise you as white men; and here we are as twenty to one. In a political struggle we can overwhelm you. In a contest of arms—in a war of races, if you provoke it—we can crush out and exterminate you. Wherefore be wise in time. The Irish do not vote in a body; neither do the Germans, nor the Americans born; and be assured that a 'Negro party' will bring forth a 'White

Man's' party; and not long after will come violence and bloodshed. If you would prove yourselves worthy to be and remain citizens, separate, divide, politically and otherwise, as other citizens do. Identify yourselves with the community in which you live. Refuse to be made the slaves and tools of demagogues; and when thus you shall have established your fitness for citizenship, no one will ever attempt to deprive you of its rights. Remember that I, who speak these words, owe you nothing, and you owe me nothing; but right or wrong, wisely or unwisely, you have been forced upon us as citizens, and I counsel you now as such. You may hearken to me, or not, just as it shall please you; but be assured that the time will come when you will say that I counseled you most wisely and well. [Loud cheers.]”

The five years which we have just briefly reviewed were the least exciting and eventful of Mr. Vallandigham's political life. During these years he gave most of his time and attention to the practice of his profession, to reading and study, and to the society of his family and friends. Still, as will be seen, he felt a deep interest and took an active part in political affairs, was part of the time editor of the *Dayton Ledger*, participated in the deliberations of the National Convention of 1868, was that year a candidate for Congress, and in the Presidential and Congressional canvass that followed, as well as in the State canvass of 1867, he labored with great diligence and characteristic ardor and zeal.

## CHAPTER XVIII.

### THE NEW DEPARTURE.

PERHAPS no political movement in this country ever created a greater sensation than did the New Departure. This name may not be altogether appropriate—probably it is not; but we use it because by it the movement is generally designated and known. It was not a sudden thing with Mr. Vallandigham. He had contemplated it for more than a year, and only waited a favorable time for its development. That time, at least in his opinion, at length came.

On the 18th day of May, 1871, the Democracy of Montgomery County, Ohio, met in convention in the city of Dayton. The object of the meeting was to appoint delegates to the State Convention which was to assemble on the first day of June. The meeting was organised by the election of the Hon. G. W. Houk, President, Judge McKemy and Mayor Morrison, Vice-Presidents, and George P. Boyer, Esq., Secretary.

On taking the chair Mr. Houk made an able address, in which, not obscurely, he shadowed forth the action which was afterwards taken by the meeting. He said:—

“To entitle the Democratic party to success in the approaching contest, we must make a distinct declaration of our principles and purposes upon the living issues of the present. We are a historical, but not merely a historical organization. The task before us now, is the rescue of the country from misrule



and the preservation of our constitutional system of government.

"We must recognise and accept the changed state of the country as actually resulting from the war.

"Democratic principles are unchangeable, but Democratic statesmanship modifies in countless methods the application of these principles to the changed circumstances and necessities of society.

"The war has left us new questions to meet—questions of finance, taxation, citizenship, and constitutional status.

"It is folly to attempt to reverse events. If an earthquake has made a lake where there was once a mountain, men must accept the lake for the mountain.

"So in political convulsions. It is only true political wisdom to recognise and accept the actual changes, for it is these with which we must deal.

"Let us therefore accept *universal* suffrage, but demand that it shall be universal. Let us accept the amendments that have been made to the Constitution as *de facto* amendments, and live up to them, subordinating them only to the principles of the Constitution itself.

"We might as well talk of the Tower of Babel as of slavery. It was about the time of the flood.

"So also of other matters of the past.

"What we want now for this vigorous body of the young Democracy is not the dreamy contemplation of the past, but the energetic spirit of the present. We want to grapple with what is before us, not to waste our strength by struggling with that which is receding further and further from us as time advances.

"What we predicted more than twenty years ago, as the ultimate result of slavery agitation and the ascendancy of that element in our politics, has all come to pass—civil war, negro equality, and all.

"Let us simply, therefore, recognise things as they are, and by our organization and power give assurance to the people of the country that we will correct the abuses of mal-administration, that we will carefully regard the rights and interest of the producing and industrial classes, whilst extending to capital all the consideration it is entitled to; and that we will preserve and defend as the great sheet-anchor of our future safety and great-

ness as a people, the true principles of our Constitutional system of government as established by its founders."

On motion of Mr. Vallandigham, it was resolved that a committee be appointed to draft resolutions for the consideration of the meeting; whereupon the chair appointed the following: C. L. Vallandigham, Dr. A. Geiger, David A. Houk, Dr. John Kemp, John A. McMahon, Adam Clay, and George V. Naureth.

After the appointment of delegates to the State Convention, and the transaction of some other business, Mr. Vallandigham, from the Committee on Resolutions, reported the following:—

"*Whereas*, The Democratic party of 1871 is made up of men who previous to and during the late war, as also for a time since, entertained totally different opinions and supported totally opposite measures as to the questions and issues of those times, and whereas it is reasonable to assume that these same men still entertain, to a large extent, their several opinions, and would, if in like circumstances, support again substantially the same measures; and whereas a rational toleration among men resolved to unite in a present common purpose, does not require a surrender in any particular of former opinions, or any acknowledgment of error as to measures heretofore supported:

"*Resolved*, BY THE DEMOCRACY OF MONTGOMERY COUNTY,

"1. That agreeing to disagree in all respects as to the past, we cordially unite upon the living issues of the day, and hereby invite all men of the Republican party who believe now upon present issues as we believe, to co-operate fully and actively with us upon the basis of perfect equality with every member of the Democratic party.

"2. That waiving all differences of opinion as to the extraordinary means by which they were brought about, we accept the natural and legitimate results of the war so far as waged for its ostensible purpose to maintain the Union and the Constitutional rights and powers of the Federal Government, including the three several amendments *de facto* to the Con-

stitution recently declared adopted, as a settlement in fact of all the issues of the war, and acquiesce in the same as no longer issues before the country.

“3. That thus burying out of sight all that is of the dead past, namely, the right of secession, slavery, inequality before the law, and political inequality; and further, now that reconstruction is complete, and representation within the Union restored to all the States, waiving all question as to the means by which it was accomplished, we demand that the vital and long established rule of STRICT CONSTRUCTION, as proclaimed by the Democratic fathers, accepted by the statesmen of all parties previous to the war, and embodied in the Tenth Amendment to the Constitution, be vigorously applied now to the Constitution as it is, including the three recent amendments above referred to, and insist that these amendments shall not be held to have in any respect altered or modified the original theory and character of the Federal Government as designed and taught by its founders, and repeatedly in early times, in later times, and at all times, affirmed by the Supreme Court of the United States; but only to have enlarged the powers delegated to it, and to that extent, and no more, to have abridged the reserved rights of the States; and that as thus construed according to these ancient and well established rules, the Democratic party pledges itself to the full, faithful, and absolute execution and enforcement of the Constitution as it now is, so as to secure equal rights to all persons under it, without distinction of race, color, or condition.

“4. That the absolute equality of each and every State, within the Union, is a fundamental principle of the Federal Government, and that no department of that Government has power to expel a State from the Union, or to deprive it, under any pretext whatever, of its equal rights therein, including especially the right of full and complete representation in Congress and in the Electoral colleges.

“5. That we will always cherish and uphold the American system of State and Local Self-Government, for State and local purposes, and a General Government for general purposes only; and are unalterably opposed to all attempts at centralisation and consolidation of power in the hands of the General Government; and the more especially when such attempts are in the form of usurpation by any department of that Govern-

ment. And further, that we adhere firmly to the principle of maintaining a perfect independence between the co-ordinate departments of that Government, the Legislative, the Executive, and the Judicial; condemning all encroachments by one upon the functions of the others.

“6. That outside of fundamental law, all legislation is in its nature and purposes temporary, and subject to change, modification, or repeal at the will of a majority of the people, expressed through the law-making power; and that the pretence that any Act of Congress, not executed and spent, or any legislative policy of a party, is an absolute finality, is totally inconsistent with the whole theory of republican government; and that it is the unquestionable right of the people of themselves and through their representatives, at each successive election, and in each successive Congress, to judge of what legislation is necessary and proper or appropriate to carry into execution or enforce the constitutional powers, rights, and duties of the Federal Government.

“7. That as an instance of eminently appropriate legislation under the Fourteenth Amendment, in the name of wisdom, justice and republican government, and to secure universal political rights and equality among both the white and the colored people of the United States, to the end that we may have peace at last, we call now, as well on behalf of the North as of the South, upon Congress for a universal amnesty.

“8. That we are in favor of the payment of the public debt at the earliest practicable moment consistent with moderate taxation; and the more effectually to secure and hasten the payment, we demand the strictest honesty and economy in every part of the administration of the Government.

“9. That we are in favor of such revenue reform as will greatly simplify the manner of and reduce the number of officers engaged in collecting and disbursing revenue, and largely diminish the now enormous expense to the Government and annoyance and vexation to the people attending the same; and further, will make the burdens of taxation equal, uniform, and just, and no greater than the necessities of the Government economically administered shall require.

“10. That we are in favor of a searching and adequate reform in the civil service of the Government so as to secure faithfulness, honesty and efficiency in all its branches, and in every officer and appointee connected with it.

"11. That we are in favor of a strictly revenue tariff conformed to the theory and principles of all other just and wise tax laws.

"12. That all taxation ought to be based on wealth instead of population; and that every person should be required to contribute to the support of the Government in proportion to the amount and not with reference to the character of his property.

"13. That specie is the basis of all sound currency, and that true policy requires as speedy a return to that basis as is practicable without distress to the debtor-class of the people.

"14. That there is no necessary or irrepressible conflict between labor and capital; that without capital or consolidated wealth no country can flourish; that capital is entitled to the just and equal protection of the laws, and that all men, whether acting individually or in a corporate capacity, have the right by fair and honest means, and not for the purposes of wrong or oppression, to so use their property as to increase and consolidate it to the utmost extent within their power. But conceding all this, we declare our cordial sympathy and co-operation with the producers and working men of the country who make and move all capital, and who only seek by just and necessary means to protect themselves against the oppressive exactions of capital, and to ameliorate their condition and dignify their calling.

"15. That we are totally and resolutely opposed to the grant of any more of the public lands, the common property of the people of the States, to corporations for railroad or other purposes; holding that these lands ought to be devoted as homesteads to actual settlers, or sold in small quantities to individuals at a price so low as to induce speedy occupation and settlement.

"16. That, holding still to the good old Democratic doctrine of annexation or acquisition of territory, we are yet totally opposed to the scheme of President Grant to acquire San Domingo as a 'job,' and by the means and for the purposes evidently intended, and accept the issue he has tendered in his late message submitting the subject to the decision of the people.

"17. That the Act commonly called the 'Bayonet Bill,' recently passed by Congress, amendatory to the Act of May

31, 1870, and a supplement to the Act of July 14, 1870, each and all intended and so contrived as to interfere with and practically subvert free popular elections in all the States, subjecting them to the absolute control, through the military power whenever called forth, of the President and Commander-in-chief for the time being of the land and naval forces of the United States; and the more recent Act of Congress commonly called the 'Ku-Klux Bill,' extending by its terms to every State, intermeddling with the exclusively local concerns of every State, authorising the President upon the existence of a condition of things to be ascertained and determined by himself and in the exercise of his sole judgment, to suspend the writ of *habeas corpus* in time of peace, and to march the standing army into any State and declare martial law therein at his own mere will and pleasure, thus subverting the entire civil power, legislative, executive, and judicial, of such State, destroying freedom of speech and of the press and the peaceable assembling of the people, and subjecting every person therein to military arrest, trial and execution, were enacted for no other purpose than to complete the centralisation of all power in the hands of the General Government, establish a military despotism, and thus perpetuate the present Administration without regard to the will of the people, and are not only utterly inconsistent with the whole theory and character of the Federal Government and revolutionary and dangerous in their nature, but in direct conflict with the spirit and letter of the Constitution, including the amendments which they pretend to enforce.

"18. That the Radical party of 1871 as now constituted is not the Republican party of the period previous to the war, nor the so-called 'Union party' during the war, and is in no respect entitled to beg the public confidence as such; that it is now only an 'Administration' or 'Grant party,' dating back to March 4, 1869, and to be judged by its record since; and that upon that record, totally hostile to the doctrines and policies herein maintained, and wholly committed to the policies and doctrines herein denounced, it deserves the emphatic condemnation of the people."

In reporting the resolutions from the committee, Mr. Vallandigham said:—

"These resolutions, Mr. President, sufficiently explain

themselves. The principles and policies which they enunciate require the honest censure of those only whose hostility is sincere. Carping criticism we both expect and condemn.

“For more than two years past the bitter and bloody passions of the war have been gradually, but steadily and surely dying out. Continual and irreconcilable dissent upon the new issues necessarily born of to-day, and even bitter personal discord among men of the Republican party who had stood together on the questions of the past, inevitably followed. The Democratic party wisely remained silent, or confined itself to these new issues. The Republican party having fulfilled its original mission, was rapidly falling into decay. Moderation, justice and peace were becoming to its more violent leaders the sentence of death; the Administration party, into which since the 4th of March, 1869, it has been wholly transferred, had begun from causes thoroughly understood to be odious and even intolerable to the people. Upon the issues of amnesty; of honesty in the legislative and executive departments; of the tariff; of revenue and civil service reform; of land grants to corporations; the currency; taxation; San Domingo, and other similar questions, it was certain to be condemned. Necessity required that some decisive movement should be made to avert impending defeat. Not the statesmen, but the mere politicians, the sycophants of the party, the parasites clinging to and deriving nurture solely from Executive favor, were called into council. These Bourbons of the present hour, the men who forget nothing, learn nothing, resolved upon one more appeal to the expiring passions and prejudices of their partisans—the war cries of the past. If civil war in fact could not again be inaugurated, civil war in form, with all its legislative and executive machinery, and all its political appliances, must be revived in every State: to secure first, the re-nomination, and next, the re-election of General Grant. The belligerent pronunciamento went forth; the bloody blast of the war bugle was again sounded. A distinguished Senator, the confidential adviser and main support of the President, himself a consummate partisan leader, but powerful in proportion to the unskilfulness and cowardice of his foes, was put forth as the chief fomentor of this new crusade. But I say to him and to all behind him, that the hour has now come when neither he nor they can be permitted to provoke or to dictate issues for the Democratic

party, or to ignore those which the revolving years and changing condition of the country necessarily bring forth. That which since 1868 has been but a question of time, is now upon us. The auspicious moment, the golden opportunity, 'the tide in the affairs of men to be taken at the flood,' has now, in my deliberate judgment, reached us, when the Democratic party of to-day, laying aside every weight, and shaking from it the dead body of the past, yet adhering to its ancient principles, can and must at one bound place itself upon the vantage ground of the present, and defy its enemies to battle upon the living issues of the hour. It is the purpose of these resolutions to establish the Democratic party of Montgomery County openly and squarely upon this firm and impregnable basis. Tacitly and in fact we have stood upon it for the past two years, and victory has steadily been ours. Confident I am that we shall meet a prompt and very cordial response from our brethren elsewhere and everywhere, in this and other States. Personally I care not for denunciation or unjust criticism from any quarter. Upon fullest deliberation and ample counsel with wise and brave men of the party, I take the responsibility. With pride and pleasure I add, too, that as these resolutions are the fruit of the joint labors and counsels of the gentlemen associated with me here at home, so also this movement meets their hearty concurrence. It is not a New Departure, but a Return; the restoration of the Democratic party once more to the ancient platform of *Progress and Reform*; establishing the great fact that that party, like everything else in nature intended to endure, is capable of adapting itself to the perpetual growth and change which belong alike to the political and the physical world, and retain yet intact the original principles and laws of its being. Moreover, as to the movement here, we all bear witness that in it there is nothing of a merely personal character, either to advance or to hinder any member of the Democratic party anywhere — nothing except the earnest and fixed purpose to promote the welfare of the whole party, and with it, of the whole country."

The resolutions were unanimously adopted, and the Convention adjourned.

Such was the inauguration of the New Departure. The



resolutions together with the speeches of Mr. Houk, the President of the meeting, and Mr. Vallandigham, the chairman of the Committee, sufficiently indicate the spirit and the purpose of the movement. In further explanation we give the following editorial from the *Dayton Ledger*. Commenting on the action of the Convention, the editor says:—

“As a part of the history of these resolutions, we consider it necessary to state that they were drafted by Mr. Vallandigham, after much deliberation, and a full and free consultation with leading Democrats, both here and in other quarters of the State. Their reception, both in the committee room and the Convention, was unanimous and enthusiastic, scarcely a verbal alteration even being made after the fullest discussion and most acute criticism. Such a fact alone is deeply significant, for it shows the tendency of the minds of men to harmonise and concentrate upon the real living issues, and how truthfully Mr. Vallandigham has embodied and expressed in the resolutions the sentiments which have hitherto been gathering force among men of all parties, viz: that the Republican party having accomplished its mission, is now a failure in government, and that something must be conceded by the Democratic party to its dissatisfied elements in order to secure their co-operation in restoring the country to *real* peace and prosperity. We repeat that such an act of magnanimity was worthy of the traditions and history of the Democratic party, and from no man could the movement more appropriately emanate than from Mr. Vallandigham, whose devotion to the organization and to the interests of the country through it has been attested by a thousand sacrifices.”

This new movement was cordially and enthusiastically endorsed by many leading Democratic papers in all parts of the Union. The State Convention of Ohio which met on the first of June, adopted substantially the Dayton resolutions. The same was the case with conventions in several other States. With the conservative press, and with conservative men who

had for years acted with the Republican party, the movement met with much favor. Two days after the Montgomery County meeting, Chief-Justice Chase wrote the following letter to Mr. Vallandigham :—

“WASHINGTON, D. C., *May* 20.

“*My Dear Sir* :—I have just read the resolutions of the Montgomery County (Ohio) Democratic Convention, reported by yourself, together with your remarks and those of Mr. Houk. You have rendered great service to your country and the party; at least, such is my judgment. May God bless you for it. Nothing can be truer than your declaration that the movement contemplated by the resolutions is the restoration of the Democratic party to its ancient platform of progress and reform. I know you too well to doubt your courage or your fidelity to your conclusions.

“Very truly yours,

“S. P. CHASE.

“Hon. C. L. Vallandigham.”

The following extracts show the manner in which the movement was received by the Conservative and some of the Democratic press :—

From the New York *Sun* (Independent Republican), 20th :—

“The hour has struck, and the man has arrived. Mr. Clement L. Vallandigham has sounded a trumpet that will reverberate through the land. . . .

“Mr. Vallandigham is a progressive statesman and a wary politician. He has just exemplified both these qualities by constructing a platform for the Democracy which is precisely adapted to the new epoch. Without raising controversies about how we got into the war or how we got out of it, he accepts its results as fixed facts, and does not look backward, but turns his eye toward the future. Not stopping to criticise the wisdom of every phase of the reconstruction measures, or quibble over the mode whereby the three amendments were engrafted upon the Constitution, he takes them as valid portions of that instrument, and treats them as a final and irrevocable settlement of the matters to which they relate. He then falls back upon

the Constitution as it is, and insists that it shall be accepted in its entirety, including all its modern improvements, and shall hereafter be construed and enforced according to the fundamental doctrines enunciated by such eminent exponents of the Democratic creed as Jefferson, Jackson, Benton, and Wright, who would maintain all the powers of the National Government without impairing the rights of the several States.

“Having thus disposed of constitutional questions, Mr. Vallandigham foreshadows a comprehensive policy in respect to the living issues of the day, such as general amnesty, taxation, the tariff, retrenchment, civil service reform, San Domingo annexation, Ku-Klux legislation, and the like, hitting a happy medium between the extremes on all these vexed matters; and he winds up by inviting the people of all parties, localities, colors, and creeds to come upon his platform as equals, and to rally around the banner of the Union and help to fight the great battles of the future. This programme and the speech in which he explained and defended it, and the unanimity with which it was ratified by the assembled Democracy of Montgomery, place Mr. Vallandigham among the most conspicuous political leaders of the day.”

From the New York *Herald*, 21st:—

“Vallandigham is the Phil Sheridan of his party, and has sent the old Democratic leaders whirling in every direction. His platform, enunciated at the Dayton Convention, meets with general favor, despite the opposition of the timid, badly scared Bourbons. The executive committee of Hamilton County, Ohio, yesterday unanimously and cordially endorsed Vallandigham's views, and they will also be readily adopted by the party throughout the State.”

From the Philadelphia *Evening Herald*:—

“The Ohio Democracy in State Convention assembled, with Hon. Geo. H. Pendleton as chairman, yesterday fully endorsed the Vallandigham resolutions, and thus laid another stone on the broad foundation upon which the structure of coming Democratic success is to be built. The work goes bravely on; and we may confidently expect that in a little while the Democrats

in every State in the Union, forgetting past differences, will place themselves fairly and squarely upon the same strong platform."

From the *Louisville Courier-Journal*:—

"In spite of all that has been said against the platform proposed by Mr. Vallandigham, it was adopted. Ohio places herself alongside of Pennsylvania; other States will follow, and long before the campaign of next year the anti-Radical column will be united on a broad and sound basis of rational Democracy. It will be quite idle for malcontents and impracticables to read the Democracy of the entire country out of the Democratic party. That won't go, and, besides, there are too many of them to make a departure in that direction a desirable object. Indiana has already expressed with sufficient emphasis. Nothing can now stay the tide of conservatism, and which will be ample enough and generous enough to embrace all the liberal elements of the North and South. Ohio has done admirably. All honor to Clement L. Vallandigham."

From the *Cleveland Plaindealer*:—

"The Republican newspapers of Ohio are most thoroughly dissatisfied with the Democratic platform. While it makes no apology for the position the Democratic party has held in the past, it recognises the situation, accepts facts that are accomplished, refuses to play heads and tails on the grave of issues that were live ones only in '62, '63, '64 and '65; it refuses to allow the Republican party to put a ring-fence around us and keep us dancing to the same old tunes and rattling the same old bones. The vital principle of progress has been resurrected in our organization, and, having outflanked its enemies by marching past the pits they had spread for it, it has opened its guns from an advanced position, and pierced the enemy's centre. Inspired with renewed hope, and strengthened as it will be by many thousands who, in the past, have deserted us, the onward march of the Democracy will be irresistible."

But although this movement was received with favor in all parts of the country, and was hailed as the harbinger of better

days, it also encountered a violent opposition. Many Democrats regarded it as a surrender of principle. Not so was it considered by Mr. Vallandigham and those who acted with him. They adhered as strictly as ever to all the great principles of the Democratic party which they had always professed and maintained. They believed, just as every intelligent man in the country believes, that the amendments to the Constitution in question were secured by force and fraud; that the people of the Southern States if left to themselves, allowed to act freely, to vote as they pleased, would never have consented to their adoption. But these amendments had been proclaimed by those in authority, parts of the Constitution; they had gone into operation, had been acquiesced in; opposition to them on the part of the Democracy, contention about them, would be vain and useless: why then waste time and strength in a fruitless enterprise? Such were the views of the men who inaugurated the New Departure: they wished to bury the dead issues of the past, and fight on the living issues of the present. This they considered their only hope of success in the approaching campaign of 1872.

There were some who were inclined to impugn the motives of Mr. Vallandigham in this matter; but for this there was no just ground. By what selfish motive could he have been actuated? He was not seeking popularity: this he never aimed at in his life; and besides, he knew that by this movement he would lose as many friends as he would gain. He knew that it would be violently opposed, and was girding on his armor for a bold and determined conflict. Nor was he influenced by a desire to advance the claims or the interests of one set of politicians in opposition to those of another; this he distinctly

disavowed. In this whole matter we are satisfied that his motives were pure and unselfish. He was actuated by an earnest desire to secure the success of the Democratic party, and through it to advance the best interests of the country. And whatever may be the ultimate effect of this New Departure, which time has yet to determine, it is certain that he indulged the most sanguine expectations of a highly favorable result. This is evident from the following extracts from the last political speech he ever made, delivered on the night of the 1st of June 1871, past the midnight hour, at the close of the State Convention that had on that day adopted, at least substantially, the resolutions that he had drafted and presented at the Dayton meeting:—

“To-day we have achieved a glorious triumph; to-day we have sent forth tidings of great joy all over the land. The Democratic party stands now upon the vantage ground of the present and offers battle to its enemies; and hand to hand and shoulder to shoulder, marches forth and meets them in this struggle upon the living issues of the present hour [cheers]; and upon these issues we will triumph. Throughout the entire State of Ohio will come a response, and not from Ohio only, but from other States, from one end of the country to the other, full of joy and rejoicing, to-morrow, from the Atlantic to the Pacific, from the lakes to the Gulf of Mexico, that at last the Democratic party is ready to grapple with its foes and to crush them, as in former times it did; and that once more there is hope that this old, battle-worn Republic of ours, bearing, it may be, the scars which it has received in the recent grand convulsion, will yet live, and live in the spirit in which the fathers framed it. [Applause.] . . .

“I rejoice that the veterans of the party, the ‘subterraneans’ of the olden time, are here in such great numbers, and with hearts resolved to conquer. For years we have fought the enemy from behind the now battered and crumbling earth-works of former issues, surrounded and hampered by the rubbish and the skeleton corpses of the dead past. For one, I am

wearied of such fighting. Give us now and henceforth the clear, open field, where face to face and hand to hand, and with banners inscribed 'Progress and Reform,' we may give battle to the enemies of Democratic-Republican Government. I rejoice still more, Mr. President, to see here among us the advancing hosts of the Young Democracy, with hearts full of fire and hands full of strength, and hopes buoyant with life and light as they look forward to the future. They are resolved to live and move in the present. It is a wise saying: Old men for counsel — provided they be not old fogies [a laugh] — young men for action. The young men of the party will win for us the victory."

Mr. Vallandigham closed as follows:—

"That grand system of government under which it is my firm belief that we can unite the whole continent of North America, yea, and the whole world; that system which was organised in 1789, is, in its original conception and its original practice, sufficient for the entire globe, and now that we have railroads and telegraphs, means of communication that did not exist in former times, that system can prevail over the world, under the principles of the Democratic party, which is an essential offshoot of that form of government, and which, born with it, can only die with it.

"And, in my deliberate judgment, if we can but sustain these institutions of ours, if in spite of these amendments, which in the language of your platform delegate only so much more power to the Federal Government, and only to that extent abridge the reserved rights of the States, and do not in any respect alter or modify the original character and theory of the Federal Government, we can restore again the doctrines and rules of construction and the practices of the fathers with equal rights made secure to all, the youngest man in this assembly, nay, the infant born to-day, who shall live beyond his three-score and ten, even by reason of strength to four-score, will see this grand Old Republic of ours overspread the whole of this mighty continent, and that flag of ours which we do love and cherish, afloat in every breeze and triumphant upon every sea. [Loud applause.]"

## CHAPTER XIX.

### HABITS OF STUDY AND MENTAL DISCIPLINE.

FROM his earliest years Mr. Vallandigham was a close and diligent student. When only fifteen or sixteen years of age, as we have already stated, he was accustomed frequently to spend ten or twelve hours a day in study, and this too when he was not at school or under any compulsion to study at all. At that same period he was accustomed to shut himself up in his room, and in a rather low voice, so as not to disturb the family or attract attention, to declaim or to deliver extemporaneous harangues, in order to acquire readiness and fluency in speaking. A similar course he pursued when at college, as we learn from his friend and companion, the Hon. Sherrard Clemens. Mr. Clemens says:—

“His studies were varied, extensive, and exhaustive. Milton’s *Paradise Lost* and Burke’s speeches and works seem to have been his great favorites. He adopted a severe course of intellectual training, read much aloud, and was in the habit, after reading the speeches of some celebrated orator, to seek some secluded place and declaim them over in his own language, after having the subject-matter fully fixed in his mind. He was in the habit of doing a similar thing after reading some favorite author, as, for instance, Gibbon’s *History of Rome*, to reduce the thoughts to his own language. By this mode of severe mental gymnastics, he attained very great facility both in speaking and writing. As a speaker he was graceful, fluent, forcible and impulsive, rising oftentimes to first-class oratory:



as a writer he exhibited many of the same characteristics. At college the Bible was his great stand-by. Every Sunday was devoted to a critical examination of it. He seemed to be never weary of pointing out the beauties of Proverbs, the Book of Job, Isaiah, the Song of Solomon, Jeremiah, and the Psalms of David. Proverbs and Ecclesiastes, he contended, combined more worldly wisdom than could be found anywhere else, and if a father could only induce his child to act upon them, he would secure him a more precious legacy than he could in any other way. He contrasted them with Lord Chesterfield's letters to his son and the maxims of the Duke de la Rochefoucauld, and showed how inferior they (the latter) were in interest, beauty and practical efficacy."

Mr. Clemens proceeds to quote a great number of passages which were particular favorites of Mr. Vallandigham, and which he was accustomed very frequently to repeat. Among them are the following: "Let thine eyes look right on, and let thine eyelids look straight before thee." "He becometh poor that dealeth with a slack hand, but the hand of the diligent maketh rich." "The heart knoweth its own bitterness, and a stranger doth not intermeddle with his joy." "A soft answer turneth away wrath." "He that is slow to anger is better than the mighty, and he that ruleth his spirit than he that taketh a city." "If thou faint in the day of adversity, thy strength is small." "A just man falleth seven times and riseth up again." "A good name is rather to be chosen than great riches. and loving favor rather than silver and gold." The description of a virtuous woman from the last chapter of Proverbs was often repeated, as was also the description of the vanity of human pursuits in the second chapter of Ecclesiastes. Mr. Clemens further says:—

"In our walks around the woods of Canonsburg, we would read or declaim to each other from Shakspeare, Milton, Byron's

*Cain* and *Manfred*, Burke, Erskine, or other favorite authors, Antony's speech over the dead body of Cæsar, the quarrel between Brutus and Cassius, Queen Catharine's speech on her trial, including the celebrated passage, 'Here sits a judge whom no king can corrupt.' Particular portions of *Timon of Athens*, fearful in their denunciatory power, he dwelt upon with great unction and the most exquisite delight. At this early period his mind had taken a decidedly political bias, and his extracts from Burke, Pitt, Fox, Sheridan, Erskine, Chatham, and other prominent orators, were often rendered with great effect. Of Americans, Calhoun stood first in his estimation, though his arguments were so logical he did not often recite them; but passages from Webster he delighted in, and in point of intellect he was next to Calhoun."

A few extracts from some of his letters will exhibit his course of reading and study in later years. In a letter to his brother James, Feb. 14, 1849, he says:—

"Since the Presidential election I have been studying and reading closely. I have been reviewing the elementary works on law, reading the classics, and particularly refreshing my knowledge of Greek, which has always been imperfect. I began with the grammar and am going through the course; but my main object is to be able to read Demosthenes readily in the original: the translations I *devoured* long since. Besides this, my miscellaneous reading (including the literary and law periodicals and reviews) has been not a little. I took also a pretty deep *dip* into old Chaucer, and found 'somethink' very new and interesting in his antique and crooked-looking poetry. So you see I have been 'redeeming the time,' in a secular way at least. But I am also still, as ever, a close student of the BIBLE; without an intimate and constant study of which no man's education can be finished and no man's character can be complete."

To the same, July 19, 1851:—

"Among the books which I have read during the spring and winter, have been three of especial interest — The Life of Dr. Chalmers, Sydney Smith's Sketches of Moral Philosophy,

and Garland's Life of John Randolph — especially the second volume. I never appreciated Chalmers before at his true value: he was a wonderful man — I think the greatest pulpit orator and the greatest *man* of his calling since Paul: in an age of great men, he was among the very greatest."

To the same, December 6, 1855:—

"I have here that great desideratum, a study, very neat and cosy, and full of all my usual 'contraptions.' Here I spend my evenings. It is my chapel too. The day-time is devoted to the office and court. I spend from fifty to a hundred dollars a year for books — 'books that are books.' My taste and course of study you may infer from a catalogue of the books in my library here at the house. I have many at the office also, professional and miscellaneous."

Here follows a long list, filling a whole sheet, of choice books; at the close of which he says: "These are all (or nearly all) good library editions — good paper and type, and well bound. I buy no fine-print books, and none of only casual or temporary value."

To the same he writes, April 16, 1856, a letter in which he speaks of himself and his affairs — Politically, Professionally, Domestically, Personally, and Theologically. Under the Theological head he says:—

"Besides the continual study of the Bible, I am now reading Mosheim's Church History, Milton's Theological Treatise, and Barrow's Sermons. These last I think are the finest and most *valuable* every way in our language. Dealing little in the metaphysics or *mystics* of theology, Barrow treats of religion not as a head for disputation, a subject for tortuous and torturing disquisition and dissection, but as a thing to be *lived out* in our daily walk and conversation — something real, palpable, and for use. This is what he wants whose earnest desire, as mine, is to 'live soberly, righteously, and godly in this present world, redeeming the time, diligent in business, fervent

in spirit, serving the Lord, and so using the things of the world as not abusing them, remembering that the fashion thereof passeth away.'"

It will be seen that Mr. Vallandigham read and studied not only law and the classics and history, but also theology. He supplied himself with an excellent system of theology, one of the best published, and carefully studied it; and his knowledge of theology as well as of Church History was superior to that of many a minister of the Gospel.

The following is an extract from a letter in the Cincinnati *Commercial*, "written," says the editor, "by an intimate friend" of Mr. Vallandigham:—

"I came to Dayton to study law with Mr. Vallandigham in the beginning of 1851, and lived in his house from that time almost continuously until 1860. I was his partner from November 1854, until he withdrew from practice, about 1859. I can speak more certainly as to this period of time than any other.

"Being myself a graduate of the Jesuits, with whom hard study is always the order of the day, I was qualified to judge of Mr. Vallandigham's application. I have no hesitation in saying that I never knew a person whose study was more systematic, unremitting and enduring. At times it was painful to me. I often thought to myself, 'Is this the life of a man who seeks reputation? If so, is the game worth the candle?' He studied Sundays as well as week days, but his Sunday reading was Jeremy Taylor, Chalmers, Mosheim, Lowth, the Bible, Barrow, Cicero's Offices, &c. He was not an early riser in my day, but he worked hard at night. His chief study was statesmanship; everything tended to his improvement in that direction. This involved the close study of language and of the graces of oratory. The first book he put into my hands was Bronson's Elocution. In early days he practised from it frequently, hence his distinct enunciation. But language he deemed the weapon of the orator, and he understood the shades of meaning of words very well.

"His library is not large. His means, in a great portion of his life, were limited; his political contests involved the neglect of his practice. But his library is very select. Burke, I think, was his favorite author. I do not believe there is a book in his library that is not marked (on the margins) from one end to the other — many of them being re-read frequently.

"He was not much of a novel-reader, beyond the select authors. He knew the Waverley novels by heart, and took great pleasure in some of Cooper's. But he read too slowly to be able to read many. I think he would be two months at one book; I would finish the same book in a day.

"He was not, I think, in the last few years as close or constant a reader or student as he had been. It would have been strange if he had been. It was not necessary; his mind was already stored.

"His favorite reading was history and biography. He loved to read how other men climbed the ladder he was on. Plutarch's Lives was another great book with him, and Livy he prized beyond measure. He called his books 'his brave utensils,' as Caliban says Prospero called his. I have often seen him stand before his library and strike his hands together with an expression of delight in his countenance as he would exclaim, 'My brave utensils!' I think he knew Shakspeare and Milton almost by heart. He did not think much of the poets beyond Burns, Byron, and the two I have mentioned. You may depend upon one thing — when he thought an author worth reading, he deemed him worthy of *study*. He very rarely *read* a book; he always studied it. He knew little of astronomy or the natural sciences. I do not think he had a *legal* mind as men like Taney, Thurman, or his partner Haynes; if he had, it was obscured by his political contests. But when he entered upon the practice he threw his whole soul into it, and hunted down the precedents — too numerously. I remember of arguing against him an important case before Judge Haynes, his present partner, then Judge, in which he made a captivating speech, the Judge remarking as he came down from the bench, 'What a fine effort! but he sailed above the questions.' I think that if he had confined himself to the bar he would have made a very great lawyer. But he regarded the law as his auxiliary. He often said that the wear and tear of court were too much for him; he would get fat in a polit-

ical campaign, and lose his flesh in the confined struggle at the bar. The secret of this was to be found in his will. He disliked contradiction, defeat or opposition ; and at the bar a man must meet with them all. He cannot choose his causes nor command his victories ; a pigmy may overthrow him with an overlooked precedent.

“He was very fond of reading aloud, and was an excellent reader. He was a good Latin scholar, reading Horace, Cicero, and Quintilian frequently in the original.”

Although Mr. Vallandigham cultivated his talent for extemporaneous speaking more diligently than his talent for writing, yet he was a fine writer. His letters to his friends, even business letters, are often adorned with gems of thought beautifully expressed, as well as with apt quotations from distinguished authors, with which his memory was richly stored. In a business letter to his brother James, dated Washington, D. C., June 2, 1860, the following sentences occur:—

“I am younger and brighter now indeed for the most part —happier sometimes, genial and gushing yet ; though now and then sad memories fall upon my soul as evening gathers its twilight shades around me, and I listen mournfully to the faint and yet fainter echoes of the footsteps of departed friends and friendships, as they linger still in memory among the ivy-grown columns and corridors of the former time. But ‘look not mournfully into the past ; it comes not back again. Wisely improve the present ; it is thine. Go forth to meet the shadowy future without fear and with a manly heart.’ But it is past eleven o’clock, and I see the flags streaming from the Capitol, and am recalled to the duties and business of the day.”

The following letter of Mr. Vallandigham to his wife in relation to the training of their son we here give, although the training referred to is moral rather than mental. Still the letter is so valuable that we think it ought to be published ; and its insertion in this chapter would probably be as appropriate as in any other:—

“WASHINGTON, D. C., May 18, 1862.

“... I write with the picture of my dear darling little man before me. Although not very good, I look at it many times a day. It reminds me deeply of him, and is thought by others to represent a very sweet little boy. ‘Oh that those lips had language!’ I talk to the picture just as I do to my boy himself, and it looks as if it would speak, yet speaks not; yet memory supplies a world of what he has said to me.

“Dear little fellow! Happy boy! May he be a virtuous youth and a noble man. He will be, he cannot but be ambitious: let it be the ambition of ‘noble ends by noble means’: virtue, honor, principle, let these be his watchwords; and in simplicity and sincerity, without hypocrisy or fanaticism, let him worship the God of his fathers, the Universal God, the Almighty Maker of heaven and earth.

“Three qualities are essential, and they cannot be acquired too soon: firmness, self-reliance, and self-denial. Let him be a boy, a youth, a young man, and enjoy in moderation whatever belongs to each of these successive periods of life; but let all be made subservient to health and strength physically, and to the development of gradual, not precocious, maturity of the moral and intellectual faculties, postponing the stronger pleasures and indulgences of sense, so far as lawful, till the body and mind and will are fully strengthened; the sound mind and sound body will then as keenly and much more wisely appreciate them at forty as the most reckless youth of twenty.

“Let him be noble, and generous, and brave, and frank, and true. Let him shun vice, and scorn meanness. Let him cultivate—I know he has it naturally also—delicacy and purity. I would have no profane or foul word uttered in his presence, even as to things lawful and necessary; and no doubtful allusion before him. Juvenal was right—

*‘Nil dictu foedum visuque hac limina tangat  
Intra quæ puer est.’*

“Alas, alas, what a world of temptation he will have to encounter! Let him learn to be firm; let him learn to say *no* to tempters without, and to the tempter within. It is a hard lesson, but the sooner it is learned the better. I would have him *pious*. I like that word; it is a better and broader word than religious, and it implies more steadfastness and uniformity. Especially let him have FAITH—faith in God, and

man, and woman. Let him have it, and cultivate and encourage it while young: alas! he will learn to *doubt* the world at least soon enough. But faith will remove mountains: it will sustain him when all else fails, even when sight is not only wanting, but when it seems actually opposed to faith. I have tried it as in the fiery furnace, and when millions fell away I faltered not. Paul's magnificent chapter on faith is all true, whether applied to religion or to things of this life.

"But I am writing a treatise, when I sat down to write a letter. Take care of our dear precious little boy, and teach him all these things. Some of them he may not be able to comprehend till he is older; but preserve this letter for him.

"One thing I forgot, though indeed it is implied in what I have written: let him be full of *courage*, calm, quiet, unflinching courage, physical and moral, afraid of nothing except to do wrong. And to this I would have him add *fortitude*, the virtue of endurance. TO DO AND TO SUFFER—these make up much of the great business of life.

"Precious boy! May God preserve thy life and make thee good and great! And if all this, then he must have and will have that noble but very rare virtue of true *amor patriæ*, love of country.

"As to books, he is too young yet to require any suggestions in regard to them. But let him read the Bible diligently from his boyhood up."

Mr. Vallandigham was a fine reader, was fond of reading aloud, and often thus read for the instruction and entertainment of his family. But although he was a constant reader of books and a close student, he was also an acute observer of men and things around him. He studied the public men with whom he mingled, acquired an accurate knowledge of their character, and of this knowledge his friends sometimes availed themselves for their own guidance and direction, as the following incident will illustrate. Col. Keys of Cincinnati, who was on General McClellan's staff, was always a warm friend of Mr. Vallandigham, and had the

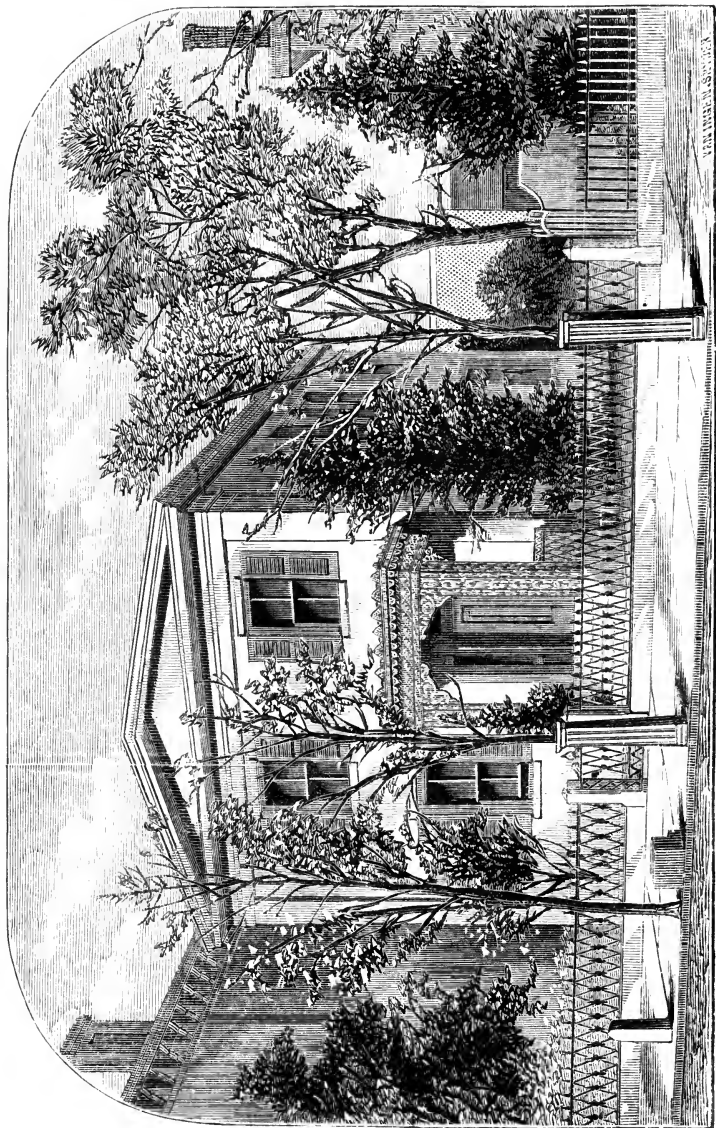


greatest confidence in his judgment and admiration of his abilities. Just before Hon. E. M. Stanton was appointed Secretary of War, Col. Keys had a long conversation with Mr. Vallandigham in regard to the public men of the United States. Mr. Vallandigham had in his earliest days been a strong and intimate friend of Stanton, and in the course of this conversation he expressed in the highest terms his admiration of the great power of intellect, untiring energy, and the firmness and industry of that gentleman. Just after speaking of this, the Colonel abruptly broke off the conversation and left the room. Mr. Vallandigham never understood the significance of this interview until many years afterwards. General McClellan had been given the choice of the new Secretary of War in the place of Cameron, who was about to be removed; he had referred the matter to Colonel Keys, and the latter had brought up this conversation with Mr. Vallandigham to learn his views of the character of the "men of the time." The Colonel had never thought of Stanton, but he was so impressed by what Mr. Vallandigham said of the man that he immediately suggested the name to General McClellan. The General was impressed with what Keys said of Stanton, and by what he discovered upon inquiry as to the determination and untiring energy which were Stanton's great characteristics. He proposed his name to President Lincoln, who immediately appointed him. And thus indirectly, and unconsciously as far as he was concerned, Mr. Vallandigham, the great advocate of peace, and the leader of the peace Democracy, was instrumental in putting into place and power the man who more than any other contributed to the success of the Federal arms and to the final triumph of the war party of the North. What a com-

mentary is here furnished upon the utter inability of even the greatest genius to comprehend the effect, in the future, of the most trivial act or remark, or to understand what will be the result, extending to all the coming years, of the most private or thoughtless conversation!

The above incident together with others connected with the secret history of the war, Mr. Vallandigham was, just before his death, preparing to furnish to the *Galaxy* magazine for publication. Had he lived it is probable that he would have devoted considerable time and attention to literary pursuits. He had in contemplation several literary enterprises, among them a history of the late Civil War, for the preparation of which he had already collected some material when his active career was suddenly cut short by his sad and tragical death.





HOME OF C. L. VALLANDIGHAM, DAYTON, OHIO.

## CHAPTER XX.

### SOCIAL AND DOMESTIC CHARACTER.

CLEMENT L. VALLANDIGHAM was a man of iron will, of unflinching courage, of indomitable energy, and of untiring industry and perseverance: he possessed in a very high degree all those sterner qualities that command the respect and elicit the admiration of men. This is acknowledged alike by friend and foe. But he possessed also in the highest degree those gentler qualities that secure affection. Love of home and home-joys, attachment to his friends, affection for his relatives, rejoicing in their prosperity and sympathising with them in their sorrows—these were traits of character for which he was remarkably distinguished. His was as warm, as affectionate a heart as ever throbbed in human bosom. The evidence of this will be seen in the letters which follow, presented not in the order of date, but in the order best suited to illustrate the traits above referred to.

The following letter is addressed to his eldest brother, the Rev. James L. Vallandigham. With this brother he studied Latin and Greek, and afterwards law, and on his admission to the bar became his partner, and continued such till the former left the profession of law and entered the ministry:—

“DAYTON, OHIO, Wednesday, Feb. 14, 1849.

“*My Dear Brother*:—I have hesitated some minutes, pondering as to which of you I should address this letter, seeing

that you (I mean sisters M. and R. and yourself) are all together. But I conclude to address it to you (although I am perhaps in debt to both of them, and you to me), since I can and mean to write an 'epistle general,' after the manner of Peter. R.'s most welcome letter is before me, and I write with an eye to it, hoping she will, in consideration of my *much business*, take this as an answer for the present. . . . I need not say how greatly pleased I should be to see you all again. Indeed I begin to feel almost sad when I think how 'far and wide' we are all separated—we who gathered once, night and morn, around the same parental hearth. But Mrs. Hemans has expressed my every feeling in poetical language and imagery which I cannot command. Our father, *dear father*, is gone whence we cannot recall him. He walked with God, and is not, for God took him. But our *mother* yet lives, and we all are still spared; and I hope that though scattered now, many happy re-unions yet await us around that same blessed family-hearth whose fires have with so much rejoicing been again lighted up.

"But you will no doubt be interested equally, if not more, in the news of the present as in recollections of the past or anticipations of the future. Next to a visit, the most pleasurable thing to me is a minute description and account of family matters and news. It brings you right home and sets you down in the midst of your friends. Well, let me tell you how we are 'getting along,' as the phrase goes. First, then, we live in a moderate-sized but very neat house, and very conveniently arranged. It is on Second Street, west of the First Presbyterian Church, rather far down towards the river. We have a neat little yard and garden around it. Our bedroom is up stairs, between two other rooms, with a door opening upon an upper porch fronting the east. We have a nice little coal stove to sit by. During the day I am at the office, but spend every evening at home, unless we are both out visiting. We sit before our little open stove, one on each side of our table, Louisa sewing, and I studying or reading aloud. And thus the evenings pass, except that now and then a loud knock announces that a friend is ready to drop in and sit awhile with us. We have been quite social this winter, going out or receiving visits frequently. The young ladies and gentlemen often drop in and take tea with us, which, as we have a good

market, and 'Sally' is an excellent 'help,' gives us no trouble. So separated as we are from all our relatives, . . we are making the time pass as pleasantly as possible."

The following is an extract from a letter to Mrs. Mary E. Vallandigham, wife of his brother James. To this relative he was warmly attached. While living at Snow Hill, Maryland, he became acquainted with her, and at "Salem," the hospitable residence of her father on the edge of the village; he spent many a pleasant hour:—

"DAYTON, OHIO, May 31, 1849.

*"My Very Dear Sister:*—It has been so long since I heard from any of you that I begin to feel anxious to know what the news of your fireside is, and what events have transpired since brother James's last letter in February. The fault indeed of this long silence is mine, for I have not before found leisure to answer that full and most welcome letter. In truth, I was hardly conscious that so long a time had passed since I received it. But, ah me! dear sister, how swiftly fly the hours now! I had occasion to-day to look over some of my Columbiana old law-papers, and the past few years stood all before me in pleasing but melancholy array, yet all as though of yesterday. A thousand things which I had forgotten rushed back in fresh recollection upon my mind —

‘The joys, the tears of *long passed* years,  
The words of love then spoken.’

Let those laugh at the sentiment who never had a happy home; but how dear to me are the hallowed recollections of the home of my childhood, boyhood and youth! Poor Lisbon! she is not what she has been. Dilapidation, decay and *death* seem to have marked her for their own. Yet, though I could not by any means be prevailed on to exchange *for her* this the most beautiful and charming place in all the West, I love her still — I love her for the past, for the multiplied associations connected with her. *Did* we not spend some sunny hours there! But we are all now separated far and wide, hearing no more the same church-bell nor greeting each other around the same hearth. Do you remember the Sabbath evenings in the

orchard where we lingered till gray twilight crept over forest and field, and day died away on the hill-tops? Or those other evenings which we passed in summer on the little platform around the front-door or under the trees in the yard, while the moonbeams stole quietly through the foliage and fell lightly upon the grass, and the crickets chirped plaintively among the weeds in the lane? But enough. Let us remember the lessons of philosophy: 'Look not mournfully into the past; it comes not back again. Wisely improve the present; it is thine. Go forth to meet the shadowy future without fear and with a manly heart.' Or the yet holier precepts of the Bible: 'So numbering our days as to apply our hearts unto wisdom.' Well, then, not forgetting the past with its sweet but melancholy pleasures, let us turn to the present and the future. Oh, how I wish you were all with us in this beautiful place! Our house now (we have moved) is near the First Presbyterian Church, and in the handsomest part of the city. It is on a corner lot, and from our porch and front-door we look out on beauties amid which Sylvanus and the Dryads might well love to dwell, and this too in the midst of the city—the birds sing around us every morning. But I cannot describe to you the charms in and about our little city. The grandeur indeed which belongs to mountainous regions we have not, but all the beauties of the plain are ours. And the people are just as hospitable and agreeable as the place is handsome. When will you come and see us?"

To the same:—

"DAYTON, March 18, '54.

"... We do not now expect to visit the East this summer, but shall spend some time in New Lisbon. Shall we never meet again? Shall we never even hear from you again? We both unite in our *best love* to you *all*. Irving, I presume, will soon be a young man; it is but as yesterday since I first saw him an infant one day old. But I am getting gray myself, and 'am not what I have been, and the *glow* which in my spirit dwelt' is turned now to the sober and steady light of manhood. And how, and who, and what are *you* now, who were once *Mary Spence*, 'witching' the sand-hills of old Worcester like *Di Vernon* with 'noble horsemanship,' and reading *Childe Harold* and Scott's novels as if there were no



realities to be grappled with in life? Verily I began with the figures of arithmetic and have ended with figures of rhetoric! So I must pause. Now do, for the sake of the hallowed memories of the past, my dear sister, if you care nothing or expect nothing in the future, write me one of *your* old-fashioned letters. Let the abundance of your heart speak out.

“Very sincerely still, as of yore under the moonlit trees of ‘Salem,’ your most affectionate brother,

“CLEMENT.

“Mrs. Mary E. Vallandigham, New Ark, Delaware.

“P. S.—How is ‘Jimmy Laird’? I would be delighted to see him. Tell him he must study hard and be a good boy, so that he may be useful and make his mark in the world for good when he grows up.”

New Lisbon is one of the most beautiful towns in the State of Ohio. Regularly laid out and compactly built, it presents the appearance of a little city. On the south and the west are hills so lofty that they might almost be called mountains. Along the foot of these hills flows a beautiful stream — one of the forks of the Beaver. There is also a considerable acclivity to the north, on which part of the town is built, though the principal part is nestled in the valley. The town is healthful, the people refined, intelligent and social, and the scenery charming.

The Rev. Clement Vallandigham was one of the first settlers of the place — made it his permanent residence in 1807. He purchased a few acres at the west end of Walnut street, just on the edge of the village, and erected a comfortable brick house. Additions to it were afterwards made, and now it is a large and commodious mansion. Here his children and many of his grandchildren were born. The site is handsome, and surrounded as it is with fruit trees and ornamental

trees and shrubbery, it is an attractive, a delightful place. To this, the Old Homestead, his son Clement was warmly attached, as were also all the members of the family. "Beautiful for situation," a home of peace and piety and love and happiness, where for years father and mother and seven children dwelt together in harmony — he often refers to it in his letters in terms of warmest affection. His feelings on revisiting this place are depicted in the following extracts from letters addressed to his brother James:—

"NEW LISBON, July 31, 1849.

"*My Dear Brother*:—To-day mother received sister R.'s letter, and though I wrote to you just before I left Dayton, yet inasmuch as I feel in a writing mood, I have determined not to delay for an answer. We left D. on Thursday, July 19, 1849, and arrived that night by rail at Sandusky City, where we remained till morning, when we took the lake-boat for Cleveland, and arriving there about noon, rested till Monday morning, at which time we left in the stage for Lisbon. About early dawn on Tuesday morning, the 24th, we entered by the Salem road the old familiar town, and roused the family from their slumbers, and were happy to find them all well. For several days we kept within doors recruiting, and purging our systems of the pestilent effects of the cholera atmosphere. Now we are both in good health and spirits. The weather is fine, and I have been about for several days visiting the haunts of my childhood and youth. The contrast between the close and noisome atmosphere of the cholera regions and the pure and bracing air of this place has quite exhilarated me. Something, too, is owing to the power of early recollections and old associations. The home of my birth and childhood is very dear to me. . . . But very many, indeed nearly all of those who once made this place dear and pleasant, are gone; some dead, some removed — all gone. . . . But how lovely are these dear old hills, these sweet green fields, these pleasant valleys! every blade of grass and every old tree has some dear association connected with it.

The beams of the morning sun shine nowhere so sweetly, and his setting rays bring on the mild shades of evening nowhere so softly, as viewed from this dear old Homestead. *It is a dear, a lovely spot, not merely from the many and sweet recollections and associations in memory which cluster round it, but because nature has really made it and the hills, streams, fields, forests and valleys around very beautiful.* It is now night, and while I am writing at the window of the old 'South Room,' the moonbeams are falling quietly through the leaves of the trees, whose shadows sleep so softly on the green grass of the 'front yard.' The crickets, lineal descendants, no doubt, of their ancestors who chirped so plaintively in our boyhood's ears, are still chiming the old accustomed song. The trees have grown so much that they almost obscure the house entirely from view from the street; but yet there is little change here, except that some of the happy inmates of this house are absent — one, the revered and beloved father, guide and protector of us all, sleeps in death. This is brother George's birthday: Sabbath was mine. It is something to pass one's thirtieth birthday in the same house and the same room where born, and receive there the blessing of the same mother. To-day I revisited some of the places around here endeared by early recollections. Day after day I look with pleasure on the beauties of the scenery which surrounds me, for all is indeed beautiful. . . . I hope *your* wishes may be gratified, and that you may be restored to this your old home. Though much out of repair, it is one of the most beautifully situated and sweetest places in the world."

In the summer of 1851 he again visited his old home, and thus writes to the same brother:—

"THE OLD HOMESTEAD, NEW LISBON,

"*Thursday, July 17, 1851.*

"*My Very Dear Brother:—*I promised you, some eighteen months ago, a long, long letter, and week after week have designed to redeem the promise. But as I used to tell dear sister Mary, 'the cares of this world and the *deceitfulness of riches*' have caused me, day by day, to put it off. I now begin, but whether I shall be able to spin it out to the 'consti-

tutional length,' I cannot say. But I will write till I get through. Hereafter I shall make no such promises, for it has clearly prevented me from writing several shorter ones long ago. . . . Though I have been negligent of writing, I assure you I have thought of you and yours *every day* with the kindest affection. And indeed you do not know how I have grieved over our long and distant separation, and how glad I should—and hope I *shall*—be when we shall be brought closer together. It is now nearly *six years* since we ceased to be residents of the same place, and though we have met several times since, yet our intercourse has of necessity been much limited. I would we might all be together once more even for a little—much more, that we could live again in the same place and be brothers as of yore. But as this can hardly be, how rejoiced I would feel if we could be nearer at least! *If you prefer it*, I hope some way will yet be opened up—and soon too—for your return to this place. Though in view of the course of life which I feel impelled to pursue, I am unwilling to live here myself, and presume I never shall, yet I love it dearly. There is scarce an object around me which is not entwined with the very tendrils of my heart—not a sight or sound which does not call up a thousand pleasing, though it may be melancholy recollections. I have now been here nearly two weeks, and everything is as beautiful and dear to me as ever. The sunbeams gild these hills as brightly, and the shadows fall as gently over these valleys, and the moonlight sleeps as sweetly under these trees, as they did 'in life's morning march.' I write in the 'South Room;' but the trees are now grown so thick in number and foliage that the street can scarce be seen from the window. The old cherry-tree is fuller of fruit than for now just seventeen years—1833. The old locust is now much higher than the house—the orchard just as it was, but many new trees have grown up in the front yard. The stable looks almost too dilapidated to be venerable; the pump, oven, and wash-house show, too, the marks of age. The meadow has just been mowed and yielded much hay. The trees in the fields around are about as they were; but that beautiful grove, 'Potter's Woods,' hallowed by a thousand sweet recollections, has at last with profane and heathenish barbarity, and in the worst spirit of vandalism, been cut down entirely. I feel like David of old, as if 'the heathen had come

into our heritage.' They have certainly defiled one of 'God's first temples.' Other objects, and especially that beautiful outline of hills and woods which surround the town on the west, south, and east, remain the same; nor must I forget 'Hepner's Hollow.' How many a quiet Sabbath evening have I watched from the window the lengthening shadows falling gently upon its sides! And the water murmurs as sweetly through it 'over the enameled stones,' as in my boyhood's days. Verily, these are 'chosen seats,' and I have wandered over them by the hour repeating the lines I believe I have often quoted before—*Hic illius arma: hic currus fuit, &c. Juvat ire ad castra: Hic acies solebat certare: hic manus Dolopum.* I can never forget them. Like the dying Argive, hither will I turn my eyes as they search for the last time for earth and earth-born objects, *et dulces moriens reminiscetur Argos.* Nor can I forget that whatever, if any, of good and merit there is about me, was here acquired under the precept and example of our noble and excellent parents, one of whom, God be praised, yet survives. This, too, was the scene of my early ambition and studies, of early struggles and early triumphs. This, you remember, was *my room*. I see here still the mottoes which ten years ago I wrote upon the wall—'*Amor Patriæ*'—'*Semper memor qui sis*'—'*Quisque suæ fortunæ faber*,' and the words of the dying Roman matron, '*Pactæ, non dolet.*' But there are also endearing ties here common to us all. There is an odor of sanctity about this house. It is a house of prayer, and for forty years the incense of devotion has gone up to heaven from its hearths. I feel that it is good for me to be here."

The following letter exhibits the deep and tender sympathy he felt for his friends in time of trouble, and his earnest efforts to comfort and encourage them. His eldest brother had changed his profession, and as a consequence found it necessary to leave the Old Homestead and seek a new field of labor in his new profession, and was for a time unsettled. The old home was then rented to strangers, and there were apprehensions that it might pass entirely out of the possession of the

family, a calamity which they all greatly deprecated. Under these circumstances he thus writes to his sister-in-law:—

“NEW LISBON, 7th June, 1846.

*My very dear Sister*:—Your letter to sister Margaret was received yesterday, and though between *love, war, politics and court* I never was so busy in my life, I cannot refrain writing to you. I am so sorry that circumstances were such that you could not have come *home* and spent the time with us. I sympathise most warmly, earnestly with you in your present unsettled, wandering life. It almost makes my heart bleed; indeed I couldn't help shedding a few tears over your letter, and exclaiming, God bless the dear Mary! Do you remember one bright moonlight night when we were young, in Snow Hill, on the east porch at 'Salem,' (ah me, all gone, long, long ago!) I promised to be a brother to you? Well, I have been and am yet, and mean to be till death. I often love to think of the happy hours we used to see on the 'Eastern Shore,' and at *home* too. How often we sat in your upper porch and on the front steps, or walked in the orchard in the Sabbath evenings (this too is a Sabbath evening; looks just like some of the evenings of former years—but I *must* write to you.) I have just returned from a walk past the old spot. Oh, how sad I felt to think that the fire on the old family hearth had gone out, and that strangers trod the rooms where we so often sat, and that I could no more enter the olden mansion or walk over the grounds, and call it 'home.' Yet the grass and the trees are as green, and the front yard as pretty, and the flowers as bright as when it *was* home. But let us pass by these things. I cannot be sad long. I sing in my heart, 'Come again, bright days, come again,' and they are almost here. Do not despair, dear sister. Courage, courage; brighter prospects are before you, better days are in store. The wilderness is almost passed, Jordan is at your feet; from Pisgah do you not see the land flowing with milk and honey? Do not repine: the foxes had holes, and the birds of the air had nests, but the Son of man, the only and well-beloved Son of the 'Father in Heaven,' had *not where to lay His head*. What a lesson of resignation and patience and fortitude!”

But words of kindness and sympathy on the part of Mr.

Vallandigham were not the only evidences of affection for his relatives and friends. When opportunity offered, or necessity called for it, he promptly and to the full measure of his ability granted substantial aid. His father died in 1839, leaving a widow and seven children — three of them minors — Clement, and a younger brother and sister. For thirty-two years he had labored diligently and faithfully in his calling, but the estate he left was small. His salary, like that of his brethren in the ministry generally, had always been inadequate; by industry and economy however, teaching his children himself, and they assisting each other, he managed to give them all a good education. This was all he could do. At his death, the support of the family devolved in a good measure on the eldest son; and when after some years he left the bar, entered the ministry and removed to a distant field of labor, Clement, who in the meantime had finished his education, studied his profession and entered upon its practice, assumed his place, and till his death faithfully performed the duty thus thrown upon him. Before he was able to buy a home for himself he purchased one for his mother, borrowing money for the purpose. To this he refers in the following letters to his mother and his brother James:—

“DAYTON, Sept. 3, 1851.

“*My Dearest Dear Mother*:—Your most welcome letter came this moment, and I assure you I am very thankful to you for writing. I think of you and of you all every day. The pleasure which the praise I receive throughout the State gives *you*, my dearest mother, is a far higher gratification to me than the praise itself; and so far as I deserve it, to *you* and to my dear departed father under Providence the merit is due. Under your roof, around your hearth-stone, from your lips and his, I learned those things, praise for which I most highly value. And I unite most fervently with you in the wish that

I may find a name and a place among the chosen of God. Meantime it is my earnest prayer daily that I may not forget that 'riches and honor' come from Him. I am very glad to hear that you are so well and so comfortable so far, and if I can *possibly* be in New Lisbon this fall I will certainly go ; but if not, I will not forget you. I hope to meet you often again. Tell my dear sister Margaret to be of good cheer, remembering always that David has said that he had been young but was now old, yet he had never seen the righteous forsaken or his children begging bread. All will come right in good time ; light will dawn when and where least expected.

" . . . So the property will be sold ; but so much the better perhaps ; for *if* I can make the arrangement to get the money *in the way and on the terms* I spoke of, I will buy it myself. If not, I will provide you a most comfortable place to live in *in any event* ; though I would for your sake, dearest mother, and my own and the sake of all of us, a thousand times prefer to keep the old place for you. And I will do *all* which I can do safely ; and I know my mother desires no more."

From the letter which follows it will be seen that he succeeded in securing a home for his mother, and the one which above all others she preferred — the Old Homestead. In this she lived many years — to the close of her life — her daughters living with her. He was accustomed to pay her an annual visit, and as long as she lived he provided cheerfully and liberally for her wants and lovingly ministered to her comfort, and when she died he continued the same kind care to the members of her family that survived.

To his brother James :—

"DAYTON, December 22d, 1851.

" . . . Upon these considerations alone it was that I purchased the property. I do not expect ever to occupy it myself. I bought it as a home for my mother while she lives. I desire that she and my sisters, and Mr. R. and family (if she wishes it) shall occupy it ; and I do not expect to receive anything



for it except in the way of taxes and repairs — perhaps not even that — though I shall pay the interest upon the purchase money every year myself. This is the utmost I can do, for though my practice is becoming lucrative, I have nothing else to depend on. We live ourselves very plainly, exercising still no small self-denial. But we have seen worse times, having, since we came to Dayton, suffered many privations and seen some sore affliction. Yet we suffered all in silence, and no one knew of it. Times are now changed, and by denying myself luxuries, I can render aid to those who have so strong a claim upon me; and above all to her to whom I owe so much, and who through the wearisome months and years of infancy and childhood watched over and protected me in my helplessness.”

We feel a delicacy in introducing these private family matters, but it is rendered necessary from the fact that in the wild excitement of 1861, and again in the violent political campaign of 1863, the charge of neglect of his aged mother was alleged against him — a charge that was utterly groundless, and one that he resented more indignantly than any other that had ever been made.

The following letter published at the time will sufficiently indicate the nature of the charge and the manner in which it was disposed of. It is addressed to a Republican editor in whose paper the slanderous article had appeared:—

“NEW ARK, DEL., July 24, 1861.

“*Sir*:—My attention has been called to an article in your paper of last Saturday, which demands some notice from me. I mean the article in reference to my brother, the Hon. C. L. Vallandigham, member of Congress from the Third District of Ohio. The article in question purports to be an extract from a letter from a gentleman of the Dayton district, and contains a most atrocious calumny on my brother, as well as allusions to my aged and venerable mother of a highly offensive character.

“Who the author is I do not know, but I assert that the

charge he brings is without the slightest foundation in truth; is indeed precisely the reverse of what is true. Even the immaterial allegations he makes are false, evincing total ignorance in reference to the matter of which he writes, or utter recklessness. He speaks of my mother as a member of the Presbyterian Church at Dayton; whereas she was never within a hundred miles of Dayton in her life. My father, the Rev. Clement Vallandigham, was for thirty-two years pastor of the Presbyterian Church of New Lisbon, Ohio.

"It is there his widow lives, and has lived for more than fifty years. And I assert what I know to be the fact, that she is now, and has been for years, maintained by this same son whom your correspondent so basely defames. And a kinder and more affectionate son can nowhere be found. He supports her most cheerfully; it affords him pleasure to minister to her wants, and make her comfortable. She occupies as good a house, I have no doubt, as your correspondent, and is in all respects in as comfortable circumstances, and in as little danger or fear of want in the future, as he.

"And all this is provided by this same son, who has a family of his own to support beside, and whose means are comparatively limited, who earns his daily bread by his daily labor. Whatever may be said of my brother's political course (and in this I know he is as honest and conscientious as any man in the country), all who are acquainted with him can testify to the purity and integrity of his private character.

"Trusting that you will insert this in your paper, and thus in a measure counteract the injury done by the article referred to,

"I am yours, &c.,

"J. L. VALLANDIGHAM."

The foregoing letter sufficiently answers the charge of neglect; but we go further, and affirm that so far from being guilty of any neglect, he was distinguished for very warm affection to his mother, and for earnest and constant effort to promote her comfort: and in proof of this we will make brief extracts from a number of his letters:—

"DAYTON, March 11, '53.

"*My Dear Mother*:—I have not time to-day to write you

a long letter. Yours of the 3d instant was very welcome, and affected me much. I hope you may live many years longer in health and strength, and that goodness and mercy will hereafter as heretofore follow you all your days—all your ways being pleasantness, and all your paths peace. I *cannot* do too much for you: all I have done or can do is but as the small dust of the balance."

To the same:—

"DAYTON, Nov. 22, 1853.

". . . I trust you will spend the winter pleasantly. Do take good care of your health; and do not deny yourself a single comfort—nor my dear sisters. I am still highly prospered, and able, and I thank God willing and anxious to do all I can."

To the same:—

"DAYTON, March 8, 1855.

"*My Dearest Mother*:—Inasmuch as I have been *most abundantly* prospered above any former period of my professional life, within the last five or six weeks, please accept the inclosed as a testimonial of my ever grateful sense of the many obligations I am under to you, and which I more and more feel that I shall never be able to repay."

To the same:—

"DAYTON, June 28, 1856.

". . . But never be uneasy, I have *always* plenty to supply all your wants; and it would distress me sorely to think that you ever felt uneasy or unhappy about it. God in His kind Providence blesses me still in basket and in store. I bless His holy name night and morning, and at all times, for His loving kindness and tender mercies. I am very anxious to see you again, and will spend all my spare time in Lisbon this summer."

Mr. Vallandigham never had much command of money; and we make this statement in justice to his character. Some

of his friends sometimes thought that he was not as liberal as he ought to be in contributions to meet political expenses of his party, even in his own campaigns. The reason was, he had not money of his own, and he would not use that of others. The purchase of a home for his mother, and afterwards of a house for himself, kept him in debt for sixteen years. And when that debt was paid, the support of his family and the aid which he felt bound to render to others who were dependent upon him absorbed the whole of his income. He never made anything by politics. When in the Legislature of Ohio, and afterwards in Congress, the salary attached to his office was all that he received. His hands were never defiled with a bribe. Pecuniarily as well as in all other respects, he was a man of the strictest honesty and integrity.

In January, 1848, he lost his first-born son, then his only child. His tender love for the child and deep grief at the bereavement are depicted in the following letter to his brother James :—

“DAYTON, January 31, 1848.

“*My Very Dear Brother* :—Although this is the day which I generally devote to the writing of editorial, yet I have delayed so long to reply to your letters, now three in number unanswered, that I feel as if I should delay no longer. Mary’s letter to Louisa came also a few days ago. It was a dear, comforting letter, and we feel truly grateful for the kindness and sympathy which you feel for us. I cannot now tell you all the circumstances attending the death of our dear cherub. It was very sudden and unexpected, and crushed our hearts to the very ground. My dear little boy was just beginning to notice objects fully, and every day twined him more closely round our hearts. He was the joy of our family hearth: the very fire burned brighter from his presence; and bright visions of the future connected with him every day sprang up in my imagination. And this is the *sting* of my grief now. I do

not meet a little boy on the street but my heart bleeds, every wound streams afresh. O my Willie, my own dear boy! It was not permitted to me to see my precious child grow up. His disease was violent and soon reached the fatal point, but his death was lingering: it seemed almost as if he did not want to leave us. And this was the bitterness of death—to see his long struggle with the monster; to behold him cling thus to life and yet have no power to save him; to watch his dear, sweet, precious frame sink, and his once bright smiling eye grow dim hour by hour. Oh, may you never lose a child! But at last his breath parted so gently that we could hardly tell that he was gone. But it was so: my poor dear boy was no more. We buried him on a beautiful knoll in the cemetery, and between two little trees. There he sleeps quietly, unknowing of his poor father's grief. I mean to have a little marble monument put over his grave (the only land I own on earth), with his name 'Willie' inscribed, and the words, 'Of such is the Kingdom of Heaven.' Louly's grief was terrible, and the scene of her parting with his corpse heart-rending beyond description; but she is now for the most part calm and resigned. Everybody was as kind as if we were their nearest relatives: I never lived among or even visited such a people before. Mr. Anderson was an especial comfort to us; he is an extraordinary man. But nothing enabled me to bear up under the affliction except the firm conviction that though we saw not how, it was for the best, and that He who orders all things aright required our babe of us. He had given, and He now took away. After having thus passed through the fiery furnace ourselves, we are prepared to sympathise most deeply with Mary in her affliction. I heard of Mrs. Robins' death with real sorrow.

"As to the plan proposed by Mr. R. I am sorry to see you go away so far; it is very hard indeed. I had hoped that we might yet live in the same place; I hope so yet. The offer is a tempting one, yet there are some serious objections which I foresee. Still if you think it for the best, go with our blessing. I almost weep to think that our family, once so closely bound together, inmates of the same house, seated all around the same fireside, are already so widely separated. Oh that we could pass through the brief journey of life near together! What would we not have given to have had you all with us in our late affliction!"

Mr. Vallandigham's social qualities were of a high order. He was exceedingly popular with the masses. Young men who studied in his office became warmly attached to him. Men connected with him in business, or who mingled with him socially, esteemed and loved him. The editor of the Manchester (Ohio) *Democrat* thus attests the truth of these declarations:—

“When Mr. Vallandigham was one of the editors and proprietors of the *Dayton Ledger*, more than two years ago, we were employed on that paper, and met him almost every day. We have therefore perhaps had a better opportunity of an acquaintance with the man's private life and social disposition than any of our cotemporaries in this portion of the State. From personal knowledge we can say that a more upright, noble and honorable private life can be accredited to no man. At home, his worst political enemies were often his devoted personal friends. His almost unparalleled colloquial powers made him always companionable, and his attractive manners and easy conversation won the friendship of his opponents. To meet him was to become his friend at once. It has been said that Vallandigham was unpopular. However this may be, where he was best known he was best liked. No one could know him personally and be his enemy. He was no respecter of persons, and would converse with as much interest with the poor man as with the rich—he respected the high and the low alike. Possibly this was the secret of his popularity at home. His ambitions and aspirations were all of the most elevated character, and his thoughts were of the loftiest order.”

Similar is the testimony of Mr. Dunifer, of the *Germanatown Dollar Times*. He says:—

“We personally, intimately knew him as a loving friend, a kind and courteous preceptor. We entered his office as a student, and the many acts of kindness and fatherly advice endeared him to us as no other living man. To speak of his virtues, we would know not where to begin or where to end, so numerous were his good qualities of head and heart. One extraordinary trait of his character was his unequalled firmness. . . .

He never faltered, for his own moral courage was absolutely boundless, and when he felt himself to be right he was as unswerving as Truth itself. . . . With an imposing presence and a manner singularly sweet and gentle, he possessed the most undaunted courage. His sympathies were always with the masses, his memory is embalmed with their tears."

The Rev. F. T. Brown, D. D., in the same communication from which we have already quoted, thus testifies to his social qualities:—

" . . . We did not meet again for seven years, when I was a preacher, and he was a rising lawyer and politician. I had been licensed but was not yet settled, when quite unexpectedly I was put in charge of the First Presbyterian Church of Dayton, Ohio, to supply it for six months during the absence of its pastor. Mr. Vallandigham lived there then, and was a member of the congregation to which I ministered. His wife was a member of the church; and some years later he also became a member. Our old friendship was renewed, and we had some pleasant times together in his modest little home. He was still comparatively a poor man, but lived within his means, and held his head as high as the wealthiest and most aristocratic of them all in that aristocratic place. I can recall no particular memories of his life at that time, except the general impression made on me that he was very ambitious, and was giving too much attention to politics. He was still the same frank, genial, pleasant gentleman and pure-minded man I had always known him."

It may not be amiss here to give some description of the personal appearance of Mr. Vallandigham for the benefit of those who never saw him. An Englishman writing from Niagara Falls, thus describes him:—

"A more thorough gentleman in manner, appearance, and language it would not be easy to find; certainly it would be difficult to get many such among those who assail him so bitterly. He is a man of medium height and build, fresh in

complexion — that freshness which betokens health — and exceedingly intelligent-looking, without that massiveness of brain which frequently, though not always, accompanies great intellectual power. Exceedingly amiable in disposition, he is respected by all who know him. Refined in manner and language, he impresses you on the instant as few American politicians impress you. Were I to describe him in a word, not knowing his native country, I would say he was an English gentleman of good education and training, of great probity, and much more than an average share of ability and political acquirements. A schemer, even in politics, I could not conceive him to be.”

But perhaps the most concise<sup>o</sup> and accurate personal description of him is the following from a Southern paper, written in May 1863:—

“Whilst in Shelbyville, I seized the opportunity of seeing Mr. Vallandigham. Without impertinently intruding upon that distinguished man, I heard him converse for an hour or so upon one topic and another. His manner has nothing studied or affected; he speaks without effort or hesitation, and his face bears a permanent expression of good-humor and friendship. His eyes are blue, full, and look right into yours; and whilst they beam with vivacity and intelligence, there is an earnest honesty in them which has won your regard and admiration before you know it. His complexion is florid, his nose rather hooked (Roman), chin and lips well chiseled and firm, teeth strong and white; hair and whiskers dark chestnut and close trimmed; height about five feet ten; his frame is robust, compact, and graceful. Altogether he is certainly a man of extraordinary mental and physical vigor; of great natural abilities improved by cultivation, combining impulse with deliberation, and enthusiasm with remorseless determination of purpose.”

The following letters show that Mr. Vallandigham was a loving husband and a fond father — clearly indicate that though called a man of ‘iron mould,’ he had a very warm and affectionate heart:—



“NEW YORK HOTEL, NEW YORK CITY,

“June 1st, 1862.

“*My Very Dear Wife*:—Just opposite my window I see through the glass a most charming sight—a little boy, just about Charlie’s age and size, neatly dressed, and bright-eyed and with a bright glowing face, is kissing his mother who stoops down that he may reach her. Both are standing by the window looking out upon the rain. Now she stoops down not quite low enough, and he jumps up, over and over again, and kisses her, and now she puts her arm round his little neck and hugs him fast. How sweet a picture! and yet to me how saddening too, for my dear darling little man and his dear mother are far away. I am homesick, homesick—a disease not treated of in the medical books or recognised by the faculty. And yet it is a sore and wearisome malady, and for it there is neither balm nor physician. ‘’Tis home where’er the heart is,’ and my heart is in my Dayton home. As I advance in the vale of years, blessed be God it becomes dearer to me; and as I am tried in the fiery ordeal of this terrible Revolution, and they begin to call me a man of ‘iron mould,’ thank God again, the tenderer my heart becomes. So I pray may it ever be. My friends who have never seen me think me an elderly man of large frame and stern aspect, and my enemies something less only than a monster. How little they dream how young I am, and how that my heart melts and tears flow from my eyes as if I were a woman many and many a time, as the Angel of Sadness troubles the pool of sorrow or affection. Be it so; “after some time be past’ they may understand me better.”

To his son Charlie, eight years old:—

“WASHINGTON CITY, Dec. 16, 1862.

“*My Very Dear, Darling Little Boy*:—I received both of your letters. They pleased me so much. I am sometimes, indeed every day, very homesick. It is a hard thing for me to be separated from mother and you so long; but public duty requires it. When you grow up you will wonder at the strange times in which your father lived and acted. I want you to go on with your studies. Read and write slowly and accurately. Make your letters all well formed. Take your

time to it. Draw slowly too. I will send you some specimens ; also a copy-book. But above all, be a good boy. Obey your mother ; be gentle and kind to all around you. Be honorable ; be just. My dear boy, your papa cannot tell you how much he loves you, so do nothing to grieve him. Give much love to mother and aunty, and all. Good-bye, and may God bless you, my darling boy. Most affectionately,

“YOUR FATHER.”

The following interesting scenes in the social and domestic life of Mr. Vallandigham are from the pen of his cousin, Mrs. Lila Laird Egbert, wife of Dr. Augustus R. Egbert, of the United States Army. Her father, the Rev. Robert M. Laird, was a brother of Mr. Vallandigham's mother :—

“My recollections of my cousin Clement begin in my early childhood. I was only a little girl when he came to our home in C——, Pennsylvania, stopping for a few days with us on his way from Maryland. It was a gloomy autumn evening long ago, but I remember well how much brightness and life seemed to have come in with the blithe, handsome young student as we sat round the fire together. He was so young then, ‘life's morning march’ lay all before him, and his heart was full of faith and hope. I can see my cousin as he looked then, erect and graceful in figure, the dark hair swept back from his brow so high and white, his eyes a deep clear blue, his cheeks lit with beautiful bloom, and his whole countenance beaming with expression and intelligence. ‘Such a bright face!’ said my grandmother, who was given to be rather critical ; ‘your cousin has indeed a “morning face,” no shadows upon it.’

“Just as I wrote the above sentence my eyes fell upon a little picture of Clement which is near me, a likeness of him taken in later years, when life had become a conflict, and he had girded on his armor and proved himself ‘a hero in the strife.’ This is not quite the ‘morning face’ with which my cousin rises from ‘the sea of remembrance’ as I think of that long-ago autumn visit ; there are shadows on it now, yet they are ‘but the shadows which set forth the brightness of the noon.’ The light of the eyes is as beautiful and true as ever, and faith and courage, tried, matured, are in their depths ; the brow is

more thoughtful, and round the mouth are lines of resolution and earnestness, telling of contests fought and won. It is a noble, good face, the face of one who was not afraid 'to do the right, and do it like a man.'

"But this is a digression, and I resume my memories. During that visit, so full of sunny hours, I learned to know, child as I was, the charm of my cousin's sympathy. He was never indifferent to my sister and myself. Our childish thoughts and hopes never wearied him, and he entered into our amusements with a zest which made him perfectly delightful to us. He had hopes and plans for the future, and, as I long afterward learned, much at that very time to occupy and press upon his mind, but he would not let that mar the holiday we all were having. He would not send away the two little girls who climbed on his chair and hung around him, eagerly claiming his time and attention, and 'for the nonce' he made himself a merry-hearted boy. But I remember how earnest he could be then, and 'pass from gay to grave' when the occasion came. One evening, just at the close of a grand frolic, chestnut-roasting at the glowing open fire, J. M—— came in to talk with Clement. He was also a young law-student, and much interested in politics, and very soon the two drifted upon that subject. Of course I remember nothing of their talk, excepting this (and I never could forget it). J. said in reply to some remark Clement had made, 'Well, I shall be a politician just so far as it will bring me in "the loaves and fishes," and I shall trim my sails accordingly, and float with the smoothest current,' with something else to that effect. Clement sprang to his feet, his blue eyes flashing and the color deepening in his cheek. 'I too,' he said in a deep low voice, 'shall be a politician; but I shall be a patriot, God helping me, and true to my conscience and to principle. Yes, I would rather lose favor and riches a hundredfold than lose my honesty and honor.' How grand and roused he looked when he said that, his eyes beaming, his whole face eloquent with noble indignation! I watched him almost in awe, but admiring his brave, true words, though J. laughed and said something about 'all that being romance which time would cure.' And were those impassioned words but the utterance of 'a romance' which time was to cure? Let my cousin's record answer. I was but a child when I heard him speak them, and I have lived to see them proved,

I have read their fulfilment. Through shadow and storm, fierce trials and conflicts abounding, he stood 'true to conscience and to principle.' The young student who spoke out so nobly in the little fire-side circle that long-gone autumn evening, made each word sure and good in after-life. In his grand, brave manhood his heart did but beat to its ancient early faith when he said, 'Do right and trust to God, and truth, and the people; perish office, perish honors, perish life itself, but do the thing that is right, and do it like a man.' . . .

"It was several months after my cousin Clement's visit to C. that I formed the design of writing to him. My mother did not encourage me. I was so young, and she thought a child's letter could not interest a young man just becoming immersed in his profession. Still, when she found I was so much in earnest, she consented. I had to put a great book upon the chair to make me high enough for the writing-desk; and armed with a new pen and a tiny sheet of paper, I wrote my first letter to Clement. It was a foolish little epistle, written in a stiff, unformed hand, and full of childish fancies and expressions. My mother smiled as she read it, and told me 'not to expect a reply, it was hardly possible one would come.' But my letter was sent, and despite the warnings of my family, who laughed at 'little L. and her letter,' I *did* expect a reply, and it came. My first letter! how proud I was of it, and well I might be! It was beautiful; so full of kindness, tenderness, and most loving appreciation of my poor, queer little letter, with pleasant bits of wisdom here and there, and closing with these words: 'And now as you are the *very first* young lady who has ever been kind enough to write to me, I propose the correspondence shall continue, not for a time, or times, but *always*. Who can tell how much we may help each other? You can write me of your studies, and I will aid you in them where I can; and when I get "blue," and tired of musty law-books, and "life's jarring round," I shall look to your simple and affectionate letters to amuse and cheer me—as I know they will if they are only like this, bright with the promise of a silk watch-chain *when* you learn the stitch, and a velvet heart pin-cushion, and graphic with such stirring adventures as your sledding frolic.' I knew my cousin was laughing at me, but his letter was so good and kind I could not fail to answer it, and so began our correspondence, full of interest and benefit to

me — yes, ever counted as one of the good gifts of my life. I think of my dear cousin's kindness with deepest affection. Few men indeed, immersed in business as Clement was, and with life's cares gathering round them, would do as he did, take the time and thought to write long replies to the crude childish letters of a little girl. Ever trying to help me and lead me onward as I grew up, he was my patient, dear, wise counsellor. I owe my cousin much for his faithful, never failing interest in my mental culture. His letters always did me good; and it was of no light importance to a fatherless, brotherless, inexperienced girl as I was, to share from childhood the correspondence and counsels of Clement L. Vallandigham. I will give you an extract from one of those valued letters; they are all so wise and beautiful, it is like 'choosing gems where *all* are goodly.' This was written soon after I left school, and was to me indeed 'words fitly spoken — apples of gold in pictures of silver':

“You have written and spoken much of Miss —, admiring her with all the warmth of a youthful enthusiastic nature. I know Miss —, and esteem her a very graceful writer; but my dear young cousin, if you would seek a model, look higher. Look to the Cornelias and Portias of remote times, the noble women whose names live on the page of history. Amongst them, “shining as a fair star of no fitful light,” is Lady Rachel Russel. She was fearless and brave in duty's path; yet the gentler feminine graces, *without* which a woman is *not* true to herself and to her God, were hers. She was a patriot, and what is far more, she was a Christian. Get her life and letters and read them. Her character is perhaps one of the finest on record. Indeed, my dear L., *I am* your brother; and with yourself, I very greatly regret I cannot be more with you to assist you in your studies, and to give the mite of my experience to aid in your guidance. I will send you ere long a list of some books I would like you to read. Just now I write in haste, and shall only give a few *general* words of advice. Read history, biography, works of travel, and of *standard* fiction, both prose and poetry: but above all read and study the Bible; *it* is the wisest, purest book for any human heart to search. As to novels, more of them again; but flee ‘red and yellow backed literature,’ sensational trash, as you would the plague. I would like you to read history much; it is one of the most liberalising

of all studies in its action upon the mind and soul, for it is the record of men and events remote, and free in a great degree from the prejudice and the selfish influence of present interest and times. Acquaint yourself well with the history of your own country ; its pages are bright with heroism and noble deeds. Every woman should be a patriot, though not a partisan ; and I am glad to see you feel this. Though your school days are ended, your studies are not over ; they are just beginning. Do not say you have "no time ;" there is *always* time and a way for what a resolute will undertakes. But you must learn to economise your time, and divide it so wisely that one thing may be done at a time, and this will make you thorough in all you do. Forgive me if I seem in a "mood monitory" this morning ; but we be of one blood, my cousin, and I am the older of the two, and have studied the world and the things of the world more, though I trust not "loved them too well."

"I here close this extract to give you from my 'written treasures' another quotation, though in a different vein, and written in later years. You, my dear cousin, whose heart lay so near our dear Clement, knew well his deep true love for nature, and shared it too, I may add — and you will enjoy his eloquent beautiful utterances, as he says :

"'To your "Woodland Musings" my heart responds most cordially. Life and its conflicts cannot chill my warm true love for nature. Did I tell you of the beautiful views of Switzerland my friend Mr. B. had brought back with him? They are unusually fine. In leisure moments I delight to linger over them, feeling deeply all their charm. And yet they are *only* pictures. How I long to see the grand originals! I love the mountains ; they elevate and transport me, and "seem a part of me, and of my being." I love wild scenery ; the jutting precipice, the foaming torrent, the elevated fir-tree and the lofty pines ever pointing upward ; and I love the peaceful valley-lands, over which the blue sky seems to lean tenderly, where the little grasses and the ferns rejoice, and where the silver brook makes sweet music as it strays through enameled meadows to old ocean. It was a happy, a divine thought to place Adam in a garden, a sort of "park," such as Eden must have been. We have a sweet little home here ; as I wrote to a friend the other day, it looks like an "Egerian

grot" nestling amongst the trees and flowers. Still it is not *quite* the country—the country, blest of God, loved by angels, and made for man, cultivated man's special solace and delight. My heart longs to dwell in its peaceful beauty. Well, if I ever should attain my "three-score and ten," and part at least of my dreams for the future be happily realised, how delighted I shall be "in shades like these," "to crown a youth of labor with an age of ease." But just now? Alas! I am poor and busy—and, "Barbee *vs.* Giles," and "Telfourd *vs.* Morning Star," "soon sank the spark immortal," for we *must* live and work, and sometimes let the gentler visions sleep—*only sleep*, for a man may be "diligent in business," yet keep his heart true to nature's loveliness and her great Creator's glory.'

"I will give no more extracts: where all are so beautiful, how can I choose? Nor must I linger over delightful meetings along life's journey. The memory of 'a summer of summers' rises before me when we were *all* gathered together at old 'Hazlewood,' and Clement's coming and *his* dear presence placed the crown upon our happiness and made our joy complete.

"Amongst my golden memories of the past is his last visit to C. before my marriage. Though brief indeed, it was rich with goodly talk and loving counsels, the remembrance of which is with me as a blessing. Clement was the older of the two, and had then been married many years, and his warm heart with its quick sympathy fully read my hopes and feelings as I stood upon the threshold of a new life. He had not then met Dr. E., but he knew him through me. His heart was warm towards him for my sake, and he was so earnest for our happiness. How wisely and tenderly he talked: those good affectionate counsels, could I ever forget them? Ah, I have loved to trace the course of their influence in my most happy married life. I have told my cousin this more than once, and I think it not unfitting to write it here.

"I have once before spoken of Clement's sympathy as I knew it in my childhood; but in later, graver years for us both, I proved its depth and sincerity. That beautiful unselfish sympathy, it ever shone so brightly in his character! When public life pressed on him, and each hour was filled with occupation and care, he never ceased to sympathise with his friends. His heart never lost its warm tender interest, its sunny trust.

He was truly brave. His courage was sublime in its faith and lofty calmness, for he knew no fear; he had no care but to do right and be true. But though unfaltering courage and firmness 'kept the portals of his soul,' it glowed with every generous, gentle sentiment. Each shadow which swept over his path, though it deepened the resolution of his spirit, could not change its sweetness and its generosity.

"I recall with peculiar satisfaction a visit from my cousin Clement one summer's day, when he came up to B. from the city. He was tired, and heartily glad to be with us once more. As he much needed rest, no visitors were admitted that afternoon and evening, and we spent some delightful hours in my mother's quiet room—Clement on the sofa, and my sister's little ones about him, for he dearly loved 'the small people.' 'This is what I like,' he said, 'just in a circle of true hearts, among my "own kin," "the world forgetting, by the world forgot," and all its dust and noise left outside. This quiet and rest refreshes my spirit.' He was charming as ever with genial talk and loving interest, and we enjoyed every moment of that cherished visit. I remember the next day as we walked down the wide paths in the old garden at B., Clement said to me, and this was after storms of fierce and bitter injustice had swept over him, 'I have *almost* had "life's life lied away." I have suffered cruel wrongs, and fought against an antagonism heated seven times. It has made me stern, and roused all the defiance of my nature; but I pray God it may never harden and embitter my heart, never make me unforgiving.' And again he wrote to me, 'Whatever I may be in the contest under the trumpet's peal, I would be true and gentle and loving in my home, among my own kindred, my friends. *Never* would I disappoint or chill a heart which clung and trusted to me.' And was he not all this? Hearts 'who trusted and clung to him,' what is your answer? Through my falling tears I read it, and it is written in tears, nor can I trace it here. . . . My sister once said to Clement, 'she regretted that our meetings came so seldom, she wished he could be more with us.' He looked up with his beautiful smile and replied, 'Never mind, Cousin M., after awhile we shall *all* be together *always* in "the leal land."' His words *now* return with tender promise. For to that fair land he has already gone, this 'kinsman beloved.' Swiftly summoned from loving hearts, from many duties and



many hopes, his grand true life suddenly ceasing, he has put on 'the robes of immortality,' and entered upon the grander, truer life 'which is in God.' She whose soul was bound with his, has followed him with quick step, 'and the days of her widowhood are forever ended.'

"From the shadow of this great sorrow, lonely hearts, look up! See through the mist of tears the stars of promise shine! 'In a little while we shall *all* be together *always* in "the leal land."' In *that* hope we wait."

## CHAPTER XXI.

### HIS RELIGIOUS CHARACTER.

A BIOGRAPHY of Clement L. Vallandigham would be incomplete, indeed would be exceedingly defective, without at least one chapter on his religious character. He was deeply imbued with the religious element: this, recognised in a measure by all who were acquainted with him, was well known to his intimate friends. And to this is to be ascribed that spotless purity of his private life which even his enemies conceded. His parents, by both precept and example, endeavored to train him up in the right way. The home of his childhood and youth was a home of piety. Every day the morning and evening incense of prayer and praise ascended from the family altar. The Sabbath was a holy day: in attendance on the sanctuary, and in the reading of the Bible and religious books and papers, all its hours were spent. Nor were they wearisome hours: in after-years he often referred to these Sabbath scenes as those on which memory delighted to dwell. But though deeply imbued with the religious spirit, he never obtruded his views on others, nor did he make an ostentatious display of his religious feelings. He made no parade of his piety: it was "the hidden man of the heart." In a letter to his brother, which will hereafter appear, he says: "I am not used to feel the tender emotions of the soul in public crowds. I am a

quiet man in my feelings, and it is only in the solitude and retiracy of my closet that they flow out in genial gushing streams, or among a few select and well-tried friends and the bosom of my family."

Nor was he a bigot: no one ever heard him utter an unkind word of any religious denomination. Though a Protestant, he had many friends among Catholics to whom he was warmly attached. In the Jews he evinced a remarkable interest, and on several occasions when their rights seemed to be ignored or overlooked, he stood up in their maintenance and defence.

In the following letters his Christian character will be exhibited in a light which will, we think, be highly gratifying to his pious friends. To his brother, the Rev. James L. Vallandigham, he thus writes:—

DAYTON, Ohio, Aug. 21, 1854.

"*My Dear Brother*:—Your congratulations on the birth of my son are very gratifying, and I fervently unite with you in your prayer for his life and usefulness. All this is in the hands of Divine Providence; but I *feel* as if he will live, and be an ornament and solace to my declining years. I shall do my part tenderly but with the utmost faithfulness, sparing, by the favor of God, nothing in precept or by example to develop, cultivate and direct aright and to the highest perfection his physical, moral and intellectual faculties. . . . The accidents of childhood are very many, and I sometimes feel sorely anxious when I look forward to the months and years yet to come. But I have much *faith*, and await with patience also the providence of Him who doeth all things well. How admirable and how comforting is the doctrine of faith! If religion were a fable, how profound the knowledge of human nature and the wisdom of the Apostle who prescribes it as a cardinal point in the Christian's creed! Though unhappily myself but an unregenerate man, I have from earliest boyhood been sustained and soothed amid a thousand dangers and perplexities by this also, the anchor of the soul sure and steadfast.

And the longer I live amid the fearful incertitudes which, the farther we advance, still more on every hand surround us, the more do I find this precious doctrine—among the earliest which I learned from our dear mother's lips—to be above all price."

Such appreciation of the importance of faith and such recognition of Divine Providence are frequently to be found in his correspondence with his relatives and intimate friends.

The letter, however, in which his religious views and feelings are most fully portrayed is that of Feb. 8, 1855, addressed to the same brother. A few months before, a revival of religion of great power had occurred in the charge of that brother, who was pastor of the churches of White Clay Creek, Head of Christiana, and New Ark, in the State of Delaware, resulting in an addition of one hundred and fifty persons to the membership of the Church. He had heard reports of this revival, felt deeply interested in it, and it is to it he refers in his letter.

"DAYTON, February 8, 1855.

"*My Very Dear Brother:*—The paper on which I write was laid aside for that purpose yesterday; and this morning my design is quickened and made the more easy of accomplishment by the receipt of your timely and most welcome letter of February the 3d. From cousin Lila's kind and affectionate letter of December, and also while at Lisbon, I learned of the signal blessing which has been poured out in overflowing abundance upon your labors in the ministry. Most heartily am I rejoiced for your sake. Your years of labor and self-denial and affliction in the things of this life have been at length rewarded, not with jewels from the mines of earth, but with gems precious as is the worth of many souls, and which shall shine in your coronet forever—bright, not as the sun, but as that light which radiates from the presence and the throne of the ever-living God. Unworthy too as I am myself, needing more the mercies of the Redeemer and the

graces of the Spirit than any who have found pardon and peace among you, I rejoice for *their* sakes also. For years I have stood like the publican of old 'afar off,' but alas! *unlike* him, too rarely smiting my breast, or desiring mercy upon me a sinner. Religion has always been much in my thoughts; the Bible often my study, sometimes, but how rarely, my delight; its doctrines and its precepts are to me familiar as household words; attendance upon the sanctuary has been my habit, and I have even *remembered* the Sabbath-day, but oh how seldom have I kept it *holy*! The prayers of my childhood have lingered like the odor of sweet perfume in my memory; my mother's yearnings and my father's precepts have passed ever before me in the silent watches of the night. The old homestead and the ancient family-altar, and the rooms hallowed all over by prayer, and the grave of him who, while living, compassed about as he was by poverty and affliction, yet served and honored God with the constancy and purity and firmness of a martyr and a saint; and the calm, mild eyes and countenance of her, full of meekness and faith and piety, who yet lives to bless and pray for me, have fenced me all around as with a wall of fire, and guarded me even when I knew and felt it not. Yet in all this have I not seen God—visibly, palpably, seen and felt him as *my* God and Redeemer. Religion has ever been to me a thing belonging to the *future*, a something *some day* to be sought after, *certainly* to be sought after, but—to-morrow. *That morrow never came*: there was no such thing in all God's creation to come: and I knew and realised it not these many years, fool that I was. To-morrow was ever *one day in advance*. Yesterday, *this* day was the morrow. It came, but it was no longer the morrow, but TO-DAY, with all its terribleness, and it was all that belonged to me. And yet-hardened I my heart; and having eyes, saw not, and claiming intelligence, realised not so plain a truth. But I bless God that for some time past, unconsciously at first, almost without my consent till it was too late to resist, I have been drawn, I know not how—not by power nor by might, else my proud spirit had rebelled, but by easy and insensible approaches—I dare not say by grace—to think more and more of the great concern, the *future* of the immortal part of my nature. Not in the earthquake and the storm and the rending of the rocks, but in the midst of health, and mercies and blessings

more in number than the hairs of my head, a still, small voice has whispered day and night, at home and abroad, in solitude and amid the cares and anxieties of business, *the hour is come, the accepted time, the convenient*. For the *first time* in my life I have listened, unwittingly in the beginning, cheerfully, pleasurable now, to these whisperings. What it is that has moved me I know not: I have *never* felt before as I now do feel; and for the first time in four-and-thirty years of a lifetime of carelessness and sin, I am **RESOLVED** by God's grace and assistance, not my own—I am nothing, *less* than nothing, and vanity—to make religion an **IMMEDIATE PERSONAL concern** from this day so long as I do live. (As I write this last sentence I hear the voice of prayer from a pious clergyman whose study, I just learn, is over my office where I now write. I accept the omen, if the word be allowable; if not, may God forgive me.) In all this I know I can of *myself* do nothing save to *ask, seek, and knock*, according to the Saviour's command and promise. I have no self-righteousness to urge, no merits of my own, none, *none*. These in the expressive language of the Holy Scriptures are but 'rags, filthy rags;' and if *he* was thrust out who came to the feast not in *rags*, but only *without* the 'wedding-garment,' how should *I* hope to gain admittance in such wretched attire? I know that I am a sinner, and that the thoughts and intents of my heart (I feel it even *now* while I write) are evil in all things, and that *continually*. But I shall *ask, seek, and knock* with a firm but very humble reliance on the merits of the Saviour, His atonement and intercession, and not doubting the *many* promises which He has *everywhere* given in all His word. I would not be over-confident. As yet I can find assurance of nothing about me except only the *desire to look into these things*, and to have religion *brought home to me personally*, and that *without delay*. In the meantime I would by God's grace and assistance set a guard upon all my actions, my words, and that which is most difficult of all, my *thoughts*, the very lairs and coverts of sin. I would do all, speak all, think all for the glory of God as my first and chiefest motive. And praying to Him humbly but fervently as prayer ever came from human lips, *first* for pardon of past sins and then for grace and assistance in the future, I do greatly desire and *long* to *henceforward* live 'soberly, righteously, and godly while in

this present world, *using* the things thereof as not *abusing* them, remembering always that the fashion thereof passeth away,' and to make it the great rule of my life to be *diligent in business, fervent in spirit, serving the Lord*. And may God write this as with a pen of iron upon the tablets of my heart, and grant me grace to remember and conform to it all the days of my appointed time, and when heart and flesh fail me, provide then for me a mansion in that house not made with hands, eternal in the heavens.

"Many things combined while as yet I knew it not, to bring me to think upon this great subject: association and conversation with a truly excellent and pious pastor, a young man like myself, just after my own heart save in sin, coming up to the full stature of the true man both in intellect and soul, and made in Nature's noblest mould, a friend and a companion; I wish you knew him, my dear brother. A series of powerful, eloquent, and outspoken sermons upon the doctrines of the Bible, calling me back to recollect that I had been bred a Calvinist, which I had forgotten at the same time that I ceased to remember that I was a sinner. The birth of my dearly beloved and only son, mellowing and softening and enlarging my heart till its waters of affection, long hidden beneath the hardened and hardening rock of childlessness, welled up like streams gushing from a copious and perennial fountain. The interest which I felt in the concern manifested by my dear sister, Ellen Bell, for the salvation of her soul. The solemn reflection that of all my family *I alone* have worshipped not in spirit and in truth the God of my fathers for so many generations. The love I bear my dear mother, and her meek and sorrowful look of solicitude and yearning when last I saw her essaying to speak to me as I well knew on this momentous subject, though her heart failed her and she was silent, but silent in such a sort that pierced through and through my heart deeper and more powerful than any words: these and many other things of lesser note, all contributed to turn my thoughts to this great concern. What the end shall be I know not. PRAY FOR ME, my brother.

"The wonderful revival in your charge has excited great interest everywhere (indeed I forgot to enumerate it among one of the chief causes which have led me to think of religion as an immediate personal concern). In no place has it been

more spoken of than here. Much interest has been felt for a week or two past in this church. A series of meetings, salutary and blessed to many, have been held, and not a few added to the church. I have not attended these special meetings, not so much for want of time (though more than usually thronged just now with business) — *there is always time*; but you know my old prejudices, partly inherited, partly the result of observation, against *set efforts* for a revival, because of the danger of their degenerating into mere animal excitement, which passing away, leaves the church an hundredfold colder than before, and those who had been *alarmed* into feeling, infinitely, miserably worse and nearer perdition than if they had never heard of the Gospel. I write to you freely, my dear brother, for *you* at least will not misinterpret me. I believe, however, that in your churches it was a power from on high — nothing less than the Almighty arm; and I know your views too well to suppose for a moment that any mere human appliances were resorted to. *And just the same* I can say here and in the case of Mr. Brookes. And besides I am not used to feel the tender emotions of the soul in public crowds. I am a quiet man in my feelings, and it is only in the solitude and retiracy of my closet that they flow out in genial, gushing streams — or among a few select and well-tried friends and the bosom of my family. But I may err in all this, and say no more.

“I have time to add but a few words more upon general matters. We rejoice in the health and general prosperity of yourself and family. We unite in cordial and earnest love to all. Ellen Bell, who feels and is resolved just like myself, especially desires to be remembered. Write to me immediately. We are all well, and our dear babe is everything we could desire.

“Farewell.

Your *truly affectionate* brother,

“CLEMENT.

“Rev. J. L. Vallandigham, New Ark, Delaware.”

“*P. S.*—I have greatly prospered this fall in my professional avocations, and I bless God that I feel now like laboring in them with a calmer mind and from yet loftier motives, and with more determined effort than ever, yet always *fervent in spirit, serving the Lord.*”

We have given this long letter in full because of its great



value and importance as an exposition of the religious views and feelings of the writer.

A few days after he wrote on the same subject to his mother. This letter she immediately sent to her eldest son with this brief note:

“February 16.

“*Dear James*:—I have read with much pleasure and thankfulness your letter in the *Presbyterian*,\* and pray the Lord that you may still continue to give the praise and glory of this great work to Him who worketh and none can hinder. I do earnestly pray that the dear people may be steadfast in the faith, always abounding in the work of the Lord. You will perceive from the letter accompanying this that I have still more abundant cause of thankfulness: indeed my heart overflows with gratitude, and my eyes with tears, and I am continually saying, ‘What shall I render to the Lord for all His mercies to me?’ I am so weak I cannot write more. I am just recovering from a very bad cold that has confined me to the house, and most of the time to my room, for several weeks. Your very affectionate

“MOTHER.”

The following is the letter to his mother:—

“DAYTON, Feb. 12, 1855.

“*My dearest, dear Mother*:—If it were at all convenient, I would with infinite pleasure go at once to see you. I have ten thousand things to say and to talk about, of which time and space would fail me to *write*; but the sum of all is, that whereas I was blind, *now I see*—and I feel a peace and joy which the world *never* gave, and which I know and am ASSURED it *cannot* take away.

“The day I mailed that letter to you I erected an altar to God in my household, and *henceforward* relying upon Divine assistance, the morning and evening sacrifice shall daily be offered up throughout my lifetime. . . . I could say much, *very much*; but you will understand me. No arm of flesh, and *least of all* my own might, has done this. But I have not time to write more now, as I am very busy; and yet I do very

\* Giving an account of the revival.

greatly rejoice that in the very midst of it all, and while I am diligent in business more than ever, I am fervent also in spirit, with a very earnest desire in all things to serve the Lord in spirit and in truth, and with very humbleness of soul.

“Your own son,

“CLEMENT.

“Mrs. R. Vallandigham, New Lisbon, Ohio.”

On the same day he wrote again to his brother James. After referring to some other matters, he thus writes:—

“As to that other great subject of which I wrote, my feelings are such as I could not portray to you in less than many, many pages of paper, or hours and days of conversation; but the sum of all is — *a peace and joy which the world never gave, and which, God be praised, I feel and am assured it cannot take away.* The day after I wrote to you I erected an altar to God in my own household, and by His blessing, the morning and evening sacrifice shall daily be offered up so long as I do live; and in a like spirit, a spirit *by His aid*, shall all my other duties be performed. I feel now as if by *God's grace* I were at length a WHOLE MAN, made really in his image, and able now to do some good truly in the Church and the world. Oh that this *exultant glow* of soul might continue! But you know my *sole reliance*; and I hope and believe it may; for diligent now more than ever in business, I feel yet *fervent* in spirit, desiring in *all things* to serve the Lord.”

In the spring of 1855 he united with the First Presbyterian Church of Dayton, of which the Rev. James H. Brookes, D. D., was then pastor. In the following letter, dated St. Louis, Sept. 14, 1871, Dr. Brookes refers to the events of that period, and gives his estimate of the Christian character of Mr. Vallandigham:—

“Before my personal acquaintance with him in the year 1854, I had heard of him as an able, ambitious and unscrupulous politician. Soon after my arrival in Dayton to take charge of the First Presbyterian Church of that city,

he called upon me, but I received him with a coolness to which he afterwards pleasantly referred, saying that he saw at a glance the unfavorable impression I had received of his character. Subsequently he told me frankly and freely the story of his life, his early struggles, his hopes, his aims, and his fixed purpose to follow the path of duty in his political career without the smallest sacrifice of principle and without leaving the slightest stain upon his conscience. He did not profess to be indifferent to popular applause, but ever avowed an unflinching determination to stand alone if need be, and if need be to die, in maintaining what he believed to be right; and often he would quote with admiration the words of Cardinal Wolsey:

‘Be just and fear not:  
Let all the ends thou aim’st at be thy country’s,  
Thy God’s, and truth’s; then if thou fallest, O Cromwell,  
Thou fallest a blessed martyr.’

“He was bright and genial and winning in his manner and our acquaintance soon ripened into close and confidential intimacy, which threw us together almost daily when he was at home. I do not recall during that entire period a word that fell from his lips which would have been unseemly if uttered in the presence of the most refined lady. No obscenity nor profanity ever defiled his tongue, and he was free from what are called the ‘smaller vices,’ abstaining even from the use of tobacco in any form.

“About a year after our intimacy commenced he became a Christian, and under circumstances that are worthy of mention. A series of doctrinal discourses had been delivered in which high Calvinistic ground was taken with regard to the absolute sovereignty of God’s electing love and the utter depravity and helplessness of man. The discourses excited considerable opposition, and even on the part of some who were members of the church; but greatly to my surprise and gratification, your brother announced that they had been the means of leading him to see his ruin by nature and his need of Christ. From that time until I left Dayton he was a consistent and faithful Christian so far as I know, although continually exposed to the shafts of the most cruel slander. Often have I known him to lead in public prayer, and family worship was maintained in his household up to the time of our separation.

With his subsequent religious life I am not familiar, save that during the war while I was his guest for two weeks, every morning and evening God's word was read, and we knelt together in prayer. Only a few months since I received a pleasant fraternal letter from him, and was looking forward to a promised visit to St. Louis, when he was so unexpectedly summoned away from the turmoils of earth and the bitter strife of tongues. I send you this as a little wreath I would love to drop in his grave."

After being connected with this church for some years, and promising, according to the testimony of Dr. Brookes, to be a very useful member, Mr. Vallandigham quietly withdrew. The correspondence that ensued between him and the session of the church is in our possession, but we do not deem it necessary to publish it. It is sufficient to say that political proscription was the cause, the sole cause of his withdrawal. His opinion was—and he adhered to it most firmly, and as we think correctly—that politics should be strictly excluded from the pulpit, should be kept entirely out of the church; that the members, without regard to the political sentiments which they might respectively hold, should treat each other with Christian courtesy, should love each other with fraternal affection, and that in the church at least, like brethren they should "dwell together in unity." That this withdrawal from the church of his choice, the church of his ancestors for many generations, was exceedingly painful to him we know from conversations we had with him at the time, and from letters now in our possession written to his relatives and intimate friends.

He afterwards attended, sometimes the Episcopal and sometimes the Lutheran church. For some four or five years he sat under the ministry of Rev. D. Steck, pastor of the Lutheran

church of Dayton, whose letter containing recollections and incidents of that period we here present:—

“REV. JAMES L. VALLANDIGHAM:

“*Dear Brother*:—It affords me sincere pleasure to learn, as I do from your note, that you are engaged in preparing a biography of your brother, the late Hon. C. L. Vallandigham. You suggest that, as it was my privilege during my residence in Dayton to know him somewhat intimately, I might have some impressions in regard to his character to communicate, with a view to aid you in the work you have in hand. Any statements bearing upon his religious character, I am led to believe, would be especially acceptable. My mind recurs to some very pleasant incidents, in the light of which it is not difficult to perceive, to some extent at least, what Mr. Vallandigham was in this aspect of his character.

“My personal acquaintance with your honored brother began in the fall of 1864, when he became a regular attendant upon the services of the church of which I was at that time the pastor. I had known him previously, but only in a general way, just as I knew other public men. I remained in Dayton a little over four years from the date here given. During all this time it was his habit, as often as the Lord’s day occurred, to be in his place in the house of God. He was an attentive and deeply interested hearer of the preached word, while his whole bearing and demeanor during worship were so modest, humble, and devout as to make him in this respect, as he was in many others, a model of propriety. Interested as he was in the great questions which concerned the public welfare, and engaged as he often was in sharp but manly conflict with men holding views opposite to his own, yet was he not so absorbed in these matters but that he found time, as he also had the taste, to attend to the humbler things which concern religion.

“Mr. Vallandigham was an excellent theologian as well as a great lawyer and eminent statesman. And was he not the greater as a lawyer and statesman because of his excellence as a theologian? He was well versed in all the great questions which have divided Christendom, and, though decided in his own views, lamented as all good men do the bigotry of sectism and the babel of denominational tongues. He was especially

well versed in the Bible, a fact made sufficiently obvious by the many graceful and striking allusions to its contents exhibited in his speeches. These gems were mixed up in the vast fund of his intellectual wealth in such a way that they came forth spontaneously with the general current of his thought, because as the result of early education and persevering habit they had become, so to speak, a necessary part of his mental being. He prized the Bible not only on account of its literary beauties, but because he believed it to be the Word of God, and as such, the rule by which every man should regulate his life. It was my privilege to converse with him very often on Scriptural topics, and on these occasions I never failed to be impressed with his sincere and deep reverence for the Holy Book. The Sermon on the Mount was held by him in special regard. On account of their profundity he greatly admired the Epistles of Paul. Calling on him one day when he was at leisure, our conversation was of the character here indicated, when he directed my attention to Paul's exhortation to Christians — they should '*live soberly, righteously, and godly*' in this present world.' 'What a comprehensive precept!' said he; 'it is an epitome of man's whole duty: his duty to himself — he is to live soberly; his duty to his fellowmen — he is to live righteously; his duty to his God — he is to live godly.' It was a beautiful exposition, and the simple earnestness with which it was given — and he was the most earnest man I ever knew — fascinated and charmed me as I listened.

"Mr. Vallandigham, as I knew him, was a very correct man, morally speaking — a perfect *gentleman*; and if this expression means no more than it ordinarily passes for, much more than a gentleman. I have met him when alone; I have sat with him in the family circle at his own hearth-stone; I have seen him in the social gathering where he was 'the observed of all observers;' and I have, in a few instances, met him on occasions of great public interest and excitement; and his conduct was always that of a high-toned gentleman, so entirely master of himself that he seemed to be under no temptation to transgress the rules of propriety in any particular. On intimate terms with him for more than four years, I never once heard a profane or obscene word from his lips.

"Some two years before I left the city of Dayton the family of Mr. Vallandigham were greatly afflicted in the death of a

near relative, Miss Belle McMahon, a sister to Mrs. Vallandigham, and a most amiable and every way excellent Christian lady. For many weeks previous to her release from the body she had been a great sufferer. During this time it was my duty as it was my privilege to appear many times at the bedside of her who was sick, to do, by prayer and religious conversation, what by the blessing of God I could to prepare her mind for the end which all perceived was drawing near. I had thus an opportunity to look at the character of Mr. V. as it appeared under affliction, for no member of the family sympathised more deeply with the sufferer than he. He not only did all in his power to soothe her bodily pains, but he took the deepest interest in her spiritual welfare. When she became despondent, as she sometimes did, and expressed doubts as to the question of her acceptance, he would sit by her bed-side, and like a true brother, read to her some appropriate lesson from the Word of God. Then he would speak to her of the fatherhood of God and the brotherhood of Christ, and thus endeavor to dispel her despondency. On more than one occasion he had me to call at his office, when he would, in the most feeling manner, state to me the substance of his interviews with her. Sometimes he read for her the service for the sick in the Book of Common Prayer, at other times some portion of the Scriptures, the book and chapter of which he would mention to me. My last interview with this excellent lady took place when she was near her end, and felt herself that she was dying. The scene was very solemn and affecting. As I entered the chamber of the dying Christian, Mr. V., the family, and a few invited friends, were standing around her bed attending to her last requests. As I approached, her eye fell upon me, and she said, 'Mr. S. has come; let the conversation be suspended, and let us once more have prayer.' Her request was complied with. Prayer, the last prayer, was made. It was a touching occasion; all were bathed in tears. When we rose from our bended knees Mr. Vallandigham was overcome by his emotions, and retiring to an adjoining room, gave vent to his feelings and wept like a child. I had heard him when by his powers as an orator he swayed vast multitudes of people as I have never seen them swayed by any other man; but when, on this sad day, I saw him bow in tearful submission to the call which was summoning a dear one hence, the man I rather admired than loved before, I now both admired and loved.

"Mr. Vallandigham was a firm believer in the doctrine that 'the Most High rules in the kingdoms of men;' and this fact, he often said to me, made him strong in the belief that our country, under Providence, would yet some day emerge from all the confusion and trouble under which it was struggling, and move on to a grander position in the scale of national greatness than it had hitherto attained.

"With these hastily sketched incidents and reflections; with the highest regard for the name and character of the honored dead; with the hope that in passing from the exciting scenes of earth he has been translated to the Father's house of many mansions; and with the prayer that the memorial volume you are about to publish may prove a blessing to all who shall read its pages, and through them to the land its subject loved so well, permit me to subscribe myself,

"Sincerely yours,

"D. STECK.

"Middletown, Md., Nov. 20th, 1871."

The following letter, written by Mr. Vallandigham to his sister Margaret on the occasion of the death of her husband, exhibits alike his kind sympathy and Christian faith:—

"DAYTON, Ohio, Dec. 12, 1869.

"*Mrs. M. E. Robertson, New Lisbon, Ohio:*

"*My Dear Sister:*—I was absent in another county, in the midst of the trial of an important case, when Mr. Gilman's dispatch came announcing Mr. Robertson's death.

"I write now to assure you of my deepest sympathy with you and yours in this great bereavement. I feel sure that, though sorrowing, it is not as one without hope. In a little while we shall all follow, and, I trust and believe, be reunited with the many dear and loved ones whom we now mourn, but who have only preceded us to those mansions in the skies where, purified and perfected spirits, we shall meet again and dwell together forever, where the eye sheds no tear, the bosom heaves no sigh, the heart swells not with secret grief, and no sorrow ever comes. For surely it is a reality—but if a delusion, yet one to which I would fondly cling (associated as it is with earliest and most cherished memories of sainted father and mother) till heart and flesh fail me—that



‘There is a land of pure delight  
Where saints immortal reign;  
Infinite day excludes the night,  
And pleasures banish pain.’

“In this faith died all of our household, and of the households for generations wherever we have inherited family and name; and let us cherish it with an unfaltering trust till we too shall lie down in the dust. I have long since ceased to look upon death with any sensation of terror, and like the patriarch Job, say daily, ‘All the days of my appointed time will I wait till my change come.’ So let it be with all of us. You remember the beautiful poem of Mrs. Hemans, ‘The Graves of a Household.’ A like fortune has been ours who in childhood grew up so lovingly together; yet shall we meet together again, young and old, glorified spirits, in the ‘house not made with hands, eternal and on high.’

“Comfort yourself, therefore, my dear sister, under this great affliction, and may the Father of all mercies be very gracious to you.

“We are all well, and unite in much love to you all.

“Very affectionately, your brother

“CLEMENT.”

The above letter was, last August, published in the *Dayton Ledger*. Its publication was accompanied with some editorial remarks which, coming from one who was long and intimately acquainted with Mr. Vallandigham, and because of their intrinsic excellence, we insert in this volume. Speaking of the letter, he says:—

“It exhibits one of the most beautiful traits in Mr. Vallandigham’s private character as we knew him, and as he appeared among friends and relatives. Besides, in view of the recent death of Mr. Vallandigham himself, it now possesses a peculiar and mournful interest, aside from the touching tenderness and manly sympathy which it shows for the distress of a bereaved sister. It exhibits too, and confirms to the world, what the writer of this during a long acquaintance with Mr. Vallandigham, extending over a period of almost twenty years and embracing his most active political life, had often observed in

him, namely: that a deep vein of actual piety and firmly seated religious conviction entered into Mr. V.'s composition, and seemed to be part of his being. We know, too, that the leading maxims of his life were drawn from scriptural readings, with which his speeches and conversations, unconsciously to himself as it were, plenteously abounded. By the outside world, who only knew Mr. Vallandigham at a distance or observed him carelessly, and that too often through the distorted medium of personal or political prejudices, this fact would scarcely be credited. But we appeal to his recorded speeches and writings for the evidence. We never knew a man in our life who was more thoroughly permeated in his private convictions *with the philosophy of the Bible* than Mr. Vallandigham. Nor did we ever know a more thorough Biblical scholar. Unconsciously to himself, this kind of learning not only furnished him a rule of life but pervaded his sentiments and philosophy—not in a narrow, sectarian sense, but in broad, liberalising, humanitarian and charitable principles, free from the dogmatisms of creeds or the hypocrisy of empty professions. Mr. V.'s religion was *innate* with him. It was both a sentiment and a principle, and we believe that he himself was unconscious of the strength of that element in his own nature, or of the firm texture that it gave to his character in all other things. More firmly than any other man that we ever knew, he believed that there was a *right side* and a *wrong side* to everything; that God ruled the world and provided for the ultimate triumph of *the right* with the same certainty with which He had set the seasons or fixed the laws of gravitation. Hence his conduct on every question was always guided by fixed and deliberate *convictions*, and hence too the amazing energy and unswerving, inspiring faith with which he always clung to and maintained them. To us therefore who knew him so well, there is one sentence in the letter which we now give to the public, which above all others confirms the estimate we ever had of him, and throws a flood of light not only on the utter fearlessness of his character, but explains the high and unfailing sources of it—how little terror *death* had for him, and how thoroughly he had come to contemplate it with the calmness of a philosopher and the resignation of a Christian. Speaking in this calm faith of the immortality of the soul, and of the blessed hopes hereafter, says Mr. Vallandigham:—

“For surely it is a reality. . . . In this faith died all of our household, and of the households for generations wherever we have inherited family and name; and let us cherish it with an unfailling trust till we too shall lie down in the dust. *I have long since ceased,*’ says he, *‘to look upon death with any sensation of terror,* and like the patriarch Job, say daily, “All the days of my appointed time will I wait till my change come.” So let it be with all of us.’

“Here, indeed, is and was the key to Mr. Vallandigham’s whole character. He believed in God, and in his own destiny in the hands and under the guidance of that Supreme Being. How little, then, could the persecutions and the revilings which he suffered in his life, affect him, or break or intimidate his noble spirit! And how clearly, and loudly, in the midst of all of them, in his speech of January 14, 1863, rang out his manly and almost God-like defiance:

*“Do right; and trust to God, and the truth, and the people! PERISH OFFICE! PERISH HONORS! PERISH LIFE ITSELF; BUT DO THE THING THAT IS RIGHT, AND DO IT LIKE A MAN!”*

“Such, indeed, was Mr. Vallandigham — of the stuff that the ancient martyrs were made of — whether grappling with a remorseless, overpowering, despotic Administration, or wrestling in the sanctity of private life with a great affliction, and comforting those who leaned on him for sympathy and protection — still turning to his faith like the needle to the pole, and reiterating his trust in ‘God, and the truth, and the people.’ Verily, we shall never see his like again!”

The three following letters we present in further illustration of Mr. Vallandigham’s Christian character.

To his brother James:—

“DAYTON, O., Dec. 6, 1855.

“. . . I have a few choice theological and religious books, but the BIBLE is almost my only study of this sort. The more I read it, and the more I reflect upon it and upon religious subjects, the more I am satisfied that the nearer we keep to it, and the further from books of man’s invention and device, even if true and sound, yet but mere dilutions of its God-revealed teachings, the nearer we are to the truth. I find

this especially true in regard to professed books of devotion and practical piety, many of them utterly erroneous, or miserably weak. I find that every man assumes his own notions and experiences, colored as they must be by his temperament, education, time of life, and a thousand other circumstances, as the *only true standard*, and hence there are just as many standards as authors and books, and no two alike. And but for the Bible, 'the sure word of prophecy,' I should have been driven to the verge of skepticism, in the midst of this mass of jargon and inanity, and too often mere *cant*. Hence I have ceased to look into them, and turn again and again, and yet again, with fresh and infinite delight to the waters of that river of life pure as crystal, flowing from the one perennial and unvarying fountain of God's most holy word. Here I find rivers of pleasure forevermore. And I cannot consent to drink of the bitter and muddy ditches and drains which have been filled therefrom afar off, when I may drink at the original fountain of the water of life, and thirst for none other. And I think if we had less mere *sermonising*, and more *exposition* of the Scriptures in the pulpit, it would be much better. Indeed I think that after the canon closed, it was the chief and original office of the ministry to expound the Bible. But I take the *whole* Bible from Genesis to Revelation, not a particular book in it, or part of it, least of all a particular text, whereon to build a system of faith or rules of practice; but '*all Scripture*'—Old Testament and New, the Pentateuch as well as the Epistles. Interpreting these all together, limiting, explaining, enlarging, illustrating one part by another, and by and with the volume of nature, I strive, by God's blessing, to attain as far as my poor faculties will admit, a full and true knowledge of what He would have me believe concerning Him, and what duty He requires of me. If I read one part more than another, it is the Psalms and the Gospels. But I could write a small book on these subjects, and lest I should weary you, stay my pen. (I prefer the old writers on theology decidedly.)"

To his mother:—

"DAYTON, Dec. 22, '55.

". . . . I shall depend on you meantime not to deny yourselves any necessary or comfort on my account, as the Lord

prosper me, and I am able to help you fully, and you know how willing. I have much, very much continually to be thankful for. Business returns again freely with the winter, and money of course with it. Health and prosperity continue with us on all sides, and 'our cup with goodness overflows.' I have lately been greatly honored and praised everywhere for the speech I made here in October. But I give God all the 'glory,' and recognise in it renewed cause for thankfulness and gratitude and obedience. I rejoice, dear mother, that you remember me daily. It is true that I am surrounded by temptations and full of engagements; but these are only trials of our faith and steadfastness. These engagements, too, I recognise as so many *duties*, and strive to perform them in the fear of God. My purpose, relying wholly on Him for the strength and wisdom which come from above, is always 'so to *use* the things of the world as not to *abuse* them.' Active and earnest pursuit of the lawful business of the world, ever mindful to give God the glory in all things, is perfectly consistent with the Christian walk and character, and indeed is a Christian *duty*. The Apostle Paul pronounces him who neglects it 'worse than an infidel'—one who denies the Saviour. . . . It was in the wilderness, too, and alone, that our Lord was tempted. What is required of us then is *watchfulness and prayer*—meaning by prayer not only *petition*, but *all* devotion and worship of God—a continual sense of His presence, and lifting up our heart to Him. It is not to be taken out of the world, but to be preserved in the world from sin. '*Diligence* in business' implies *earnest* and *zealous* attention to it: without this there is no success in it. King David managed the affairs of a great kingdom and raised it from feebleness to the highest pitch of splendor; he was continually engaged in its multiplied and perplexing concerns; and yet he was adjudged perfect save in one matter only. I take the Bible and nothing but the Bible as my rule of faith and practice; and taking it, I would *work* every day in the discharge of the duties which devolve upon me as an inhabitant of earth as if I were to live for ever, and yet by God's blessing and grace *live* every day as though I was to die to-morrow. I regret indeed that my engagements sometimes interfere necessarily with some of the more outward and public exercises; but not with the private and the secret devotions of the heart. God is everywhere, and the heart can be lifted to

Him, and His presence be felt, in the court-room, the office, the legislative hall, and upon the street, as well as in the public sanctuary. While I am not so strict as some about what my judgment and conscience tell me is only the 'tithing of mint, anise and cumin,' I strive always strictly to observe all the 'weightier matters of the law.' Yet after all I know that I am an unprofitable servant, and rely *solely* for strength, wisdom and guidance here, and salvation hereafter, upon the 'free grace' of God and our Redeemer."

To his mother:—

"DAYTON, Ohio, Feb. 7, 1856.

"*My Dearest Mother*:—I have time only to enclose you a small present, which I trust will be acceptable. I have thought of you every day during this severe winter. It has reminded me of the old-fashioned winters of which I have heard you speak, and also of some winters which I remember of in my childhood. I hope you have been comfortable, and that all are well. My trust has been in our Father who is in heaven, who doeth all things well. His mercies and his kind providences have been very signal and infinite in number, and fill my heart continually with gratitude, causing me to exclaim with the Psalmist: 'Bless the Lord, O my soul, and all that is within me, bless His Holy Name!' In his character of Creator, Preserver, Benefactor and Redeemer, he unites everything which calls for unceasing praise and thanksgiving. And these, in the midst of the business and cares and pursuits of every kind of this life, I desire to render at all times and in all places, striving to attain that *perfection of life and character* as drawn by St. Paul—'Not slothful in business, fervent in spirit, serving the Lord—using the things of the world as not abusing them, remembering that the fashion thereof passeth away.'"

The following letter from the Rev. Mr. Haight is in reply to one making inquiry as to his interview, or attempted interview, with Mr. Vallandigham on his death-bed:—

“LEBANON, Ohio, July 3, 1871.

“*Rev. J. L. Vallandigham:*

“*Dear Brother:* — I was with your lamented brother during nine hours of his sufferings, and saw him expire. I asked permission to say a few words to him on the *great question*, having a strong desire to know his *mind* in view of the solemn realities he was approaching, but was not allowed to do so, as the doctors said *absolute quiet* was the *only remaining* hope in his case. Of course I differed with the medical gentlemen, but had to submit. About 3 o'clock on the morning of his death, as I was standing by his bed-side and wondering what his thoughts might be, and hoping they were busy with *eternal things*, he suddenly opened his eyes, and looking directly and fixedly into *mine*, said, in a *distinct* but somewhat labored voice, and with a cheerful expression, these words: ‘*I believe in our good old doctrine of predestination*, and I think I will get through yet,’ then closed his eyes and seemed to sleep. What did he intend to express by this? I have asked myself again and again. May we not reasonably believe that in these few words he gave his *last testimony to the faith of Jesus* as his fathers had taught him, and as he had, years ago, publicly professed? May we not hope and trust that during those twelve closing hours of his earthly existence, and with his faculties unimpaired, *his old religious experience* returned in all its freshness and vigor, full of joy and immortal hope?

“It has been my lot to witness, in many instances, the last contest between humanity and death, but I have never seen more *courage, patience* and *resignation* than were exhibited in your dear brother's last hours. He apparently met *death*, as he had met every event in his eventful life — *with his face to the danger*, and *undismayed*. Yours very truly,

“JNO. HAIGHT.”

However gratifying it might have been to have heard from Mr. Vallandigham on his death-bed an expression of his views and feelings at that trying hour, it was not necessary. His religious experience as unfolded in the preceding letters, and the pure and stainless life he lived under circumstances exceedingly unfavorable to religious culture, and amid trials

and temptations that would have driven many a man into utter apostasy, these sufficiently attest the genuineness of his piety, and are a rich source of comfort to his relatives and friends in their deep grief at his sad and sudden departure.

We will close this chapter with an extract from a letter to his brother James, announcing the death of Miss Ellen Bell McMahon, his sister-in-law and a member of his family:—

“DAYTON, OHIO, July 19, 1867.

“*My dear Brother*:—Poor dear Ellen Bell left us for home last night at five minutes past eleven. She died easy and happy, full of faith, hope, assurance. Her sufferings were protracted and severe, but she bore them all without a murmur or complaint, nor desired to live longer. It is a terrible trial, but Louisa bears up under it better than in any former trouble, sorrow-stricken as she is.

“Poor Ellen will be buried to-morrow afternoon in Woodland Cemetery, most beautiful among all the ‘cities of silence,’ alongside of our infant little boy, there to sleep sweetly; and where by-and-bye we shall join our dust to hers, sleeping too till ‘this corruption shall put on incorruption, and this mortal immortality.’ Till then ‘all the days of my appointed time (here) shall I wait till my change come.’”



## CHAPTER XXII.

### HIS DEATH.

“WHAT shadows we are, and what shadows we pursue!” Such was the exclamation of an eminent British statesman when he heard of the unexpected death of a distinguished rival. And how forcibly is this truth exemplified in the sudden departure of Mr. Vallandigham! Never was his health more vigorous than on the morning of the day on which the accident occurred, never his form more robust, nor his prospects of long life more promising; and never were his political prospects brighter — his prospects of honor, of eminence, of usefulness.

Lebanon, Warren County, Ohio, is a town of some four thousand inhabitants. It has been the home of some of Ohio's most eminent statesmen. Here lived Jeremiah Morrow, John McLean, and others whose names have attained a wide celebrity. Here lived and died one of the most remarkable men of our age, Hon. Thomas Corwin, a man whose powers of mind have never been properly appreciated. Here too, in 1825, died a favorite daughter of Henry Clay, and in the old Baptist burial-ground she lies buried. Referring to her death, a letter-writer from Lebanon many years ago beautifully says: “What a history of disappointed hopes and of the keenest sorrows would the heart-life of most of our great men unfold! The

path of glory is one bedewed with tears, and our greatest men are arrested by the providence of God in their schemes of earthly ambition. For six weeks did the great statesman Henry Clay tarry in Lebanon to watch over the decline and death of the flower of his heart; and when he laid his blooming daughter among strangers, how did he feel the emptiness of human glory and the preciousness of the Christian faith inscribed on the tablet to his daughter's memory!"

And here, on the 16th day of June, 1871, whilst preparing to make what he expected would be the greatest legal effort of his life, the fatal accident occurred which closed the mortal career of Clement L. Vallandigham.

The case in which he was engaged was a very remarkable one. It originated in Hamilton, Butler County. On the evening of the 24th day of December, 1870, a large party of gentlemen were engaged in playing various games of cards in the saloon known as "The American," which is situated on High street, between First and Second streets, and directly opposite the court-house. Thomas Myers, who was murdered that night, after attending a meeting of the building association to which he belonged, went up into the upper room of the saloon, and soon became engaged in a game of faro. A little after eight o'clock, five men, among them Thomas McGehan, came up into the faro-room, and in a moment after they entered Myers was attacked with slung-shots and boulders suddenly and from behind. He immediately jumped to his feet and attempted to draw his pistol from his right side pantaloons' pocket; he had some difficulty getting it out, and whilst in the act of drawing it, the muffled sound of a pistol-shot was heard. When he did get his pistol out, it was evident he had been severely hurt. He had grasped

Jack Garver (one of his assailants) the moment he arose, but his grip soon relaxed. He fell on the floor, but again arose, fired two shots, then fell again, and as he lay fired another shot; but all these shots were aimless, and in a few moments he was a corpse. The affray was so sudden, so frightful in its character, and the struggle so violent, that more than a dozen men whose minds were deeply intent upon their play, startled and utterly astonished, instinctively sought safety in flight. Tables and chairs were upset, the stove was knocked over, and in an instant a quiet room, where scarcely a voice had been heard, was changed into a perfect pandemonium. Tom McGehan was seen in the room during this terrible affray by several persons, but no one saw him have a pistol, nor did any one pretend (except Jack Garver, who turned State's evidence) to have seen him engaged in any hostile demonstration. Yet because it was known that he had been on bad terms with Myers for years, although this was not shown on the trial, and on account of his well-known desperate character, the suspicions of the community immediately pointed to him as the instigator, if not the actual perpetrator of this terrible crime. Such was the terror of McGehan's name, however, that more than twenty-four hours passed before any movement was made to arrest him, or those supposed to be associated with him in the killing of Myers. After the parties accused were safely lodged in jail, the excitement of the community became very high. Although Tom Myers, the murdered man, had been a notorious rough, and had a very bad character for peace and quiet in the community, yet his family were popular and highly respected, and the horrible circumstances connected with his sudden and cowardly murder were well calculated to produce intense feel-

ing in any community. There was talk even of resorting to lynch-law. Fortunately better counsels prevailed, and on the Wednesday after the murder, which occurred on Saturday night, the preliminary investigation commenced before Squire Wilkins. This was attended with intense excitement, lasted several days, and the court-room was every day crowded to suffocation. The prejudice and animosity of the immense crowd were exhibited without reserve during the whole time; and although the Justice endeavored to suppress any extraordinary manifestations of feeling, yet on several occasions testimony which bore heavily against McGehan was greeted with boisterous applause. Mr. Vallandigham, who had been early retained in the case, when he came to speak, denounced in eloquent and fitting terms this unseemly conduct; but it was almost impossible to suppress its exhibition. The prisoners were all held for murder in the first degree, and bail of course refused. At the January term of the Court of Common Pleas, an indictment against all the parties charged was found for murder in the first degree. Soon after an application for a change of venue was granted by the court to McGehan, and the change was made from Butler County to Warren. At Lebanon, the county seat of Warren County, upon the 6th day of June, 1871, the trial commenced, Judge Leroy Pope presiding. An immense array of counsel appeared both for the State and for McGehan, and great interest was manifested all over the country in the progress of the trial. By common consent of the counsel, several of them very able men, Mr. Vallandigham was given the chief management of the case for McGehan, and entered upon the discharge of his duty with the most intense ardor; his whole mind and soul, in fact, seemed wrapped up

in this case. Mr. Vallandigham displayed more than ordinary interest in this case not only because of its magnitude, not only on account of his duty to his client professionally, but further because remarks made by certain individuals as to his connection with the case had angered him deeply and excited his mind to the highest degree. Of these remarks, now that the subject of them is no more, it is not necessary to speak; they were made by men who had no connection with the case either for the prosecution or the defence, and who probably had no idea that they would ever reach his ear. The ability displayed by both sides in this remarkable trial was very great. For the State were arrayed Messrs. George R. Sage, J. F. Follett, S. Z. Gard (prosecuting attorney of Butler County), Kelley O'Neill (prosecuting attorney of Warren County), M. N. Maginnis, S. C. Symmes, and P. H. Kumler; for the defence, C. L. Vallandigham, Thomas Millikin, A. F. Hume, A. G. McBurney, J. A. Gilmore, J. S. Wilson, and James E. Neal. On Thursday the 15th of June, the evidence was closed; and the next morning Mr. J. F. Follett, of Cincinnati, commenced the opening argument for the State, and finished his able speech about 3 o'clock in the afternoon. Mr. Vallandigham then made a very earnest effort to procure an adjournment so that his coadjutor, Thomas Millikin, could take up the time on Saturday, and so that he himself should be able to make his speech on Monday. After considerable discussion he was successful in making this arrangement. When this understanding was arrived at, Mr. V. betrayed a satisfaction amounting to joy, in fact it put him in unusual good spirits, and never in the happiest days of his early life did he exhibit more lively feelings or more exuberance of animal spirits. Alas! little

did he know, as with a smile upon his animated countenance and full of good humor, in company with some friends, he left the court-house, that this was the last evening he was destined to behold on earth.\*

From the interesting accounts contained in the *Dayton Ledger*, and *Cincinnati Enquirer* and *Commercial*, written and published at the time, we gather the following facts and incidents of the death and attending circumstances:—

“LEBANON, OHIO, June 17, 1871.

“He is dead! Vallandigham dead! What a world of meaning, what a wealth of pathos in these simple but terrible words! The man whose name but a few days ago was on every man’s tongue, and whose figure was the central one in American politics! What, dead? Vallandigham dead? It can not be! No! Impossible! It’s a hoax! What a pity! &c. &c. Such were the exclamations to be heard on the street, in the street-cars, restaurants, hotels, and in fact everywhere that men assemble this morning, when the first rumors of the terrible tragedy at Lebanon were whispered. For notwithstanding the fact that the dispatches in the morning papers stated that the statesman had been but mortally wounded, and that the vital spark still animated the face and figure so well known throughout the length and breadth of his own Ohio, the rumor that he was already dead got abroad, and was passed from mouth to mouth and ear to ear long before the last scene of the tragedy was enacted in this quiet little city of the valley.

“Vallandigham, Vallandigham, nothing but Vallandigham—his virtues, his courage, his policy, his affection, his ability, his size, height, age, appearance, everything, in short, connected with him, were the topics of conversation—mournful conversation, throughout the city, the State, and the nation.

\* In the case of McGehan the jury empanelled at the time of Mr. Vallandigham’s death could not agree, and were discharged. Afterwards the case was removed to Montgomery County, and there tried, the jury bringing in a verdict of murder in the second degree. A motion for a new trial was granted, the result of which was a verdict of acquittal. This acquittal excited much indignation in Hamilton, where it was generally believed that he was guilty.

"In the midst of this excitement this morning your correspondent left the city to visit the scene of the tragedy, with a view to learning all that was to be learned of the saddest incident in the history of the State. On the train, as elsewhere, the great overshadowing topic of conversation was the tragedy at Lebanon. Those who had already heard the announcement of the death, detailed it to eager crowds of listeners, male and female, and in every group of hearers there were suffused eyes and wet cheeks. And among these — to their honor be it said — were not a few of his political enemies, men who had opposed and denounced him while living, but who, now that he was dead, freely expressed their admiration and respect for the many noble qualities of the great man whose high courage nothing *but* death could quench. At Morrow I left the railroad and took horse and buggy for this place. Not until this had I appreciated the widespread sensation that the news of the misfortune had created. In the cities and towns, and along the lines of the railroad and telegraph, it was but natural to expect the discussion of news fraught with such terrible meaning. But to find men and women away out there, miles from railroad and telegraph, eagerly inquiring from every passing traveller the latest news from the distinguished victim of the tragedy, astonished me and gave me a new revelation of the sad importance and widespread effect of the sad event. All along the road we were besieged by men and women eager to learn the truth of the report, and when assured of the fact, to know all of the details. Staid old farmers would leave plough in furrow, and good housewives desert kitchen and pantry, to ask questions concerning the great event of the day.

"Many of these, the majority in fact, had known the man only by reputation, and many of them had so known him only to hate him as the bold leader of the Ohio Democracy during the turbulent times of 1863; but the sombre shadow of the death angel's wing had wiped out the dividing lines of party, and united all in a common brotherhood of sorrow.

"Arriving at Lebanon, we found that usually quiet little town in a state of intensely suppressed excitement. Great as was the excitement elsewhere, it was as nothing compared with that at Lebanon. From the time that the news of the fatal shot went abroad the night before, every man, woman and child in the little city had been talking of it, lamenting it, and discussing the chances of recovery and of death.

"The heart of the cosy village had been stirred to its deepest depths by the report of that pistol. And not only there had that shot been heard, but throughout the length and breadth of the continent it had echoed and re-echoed in mournful cadence from the Lakes to the Gulf, and from the Atlantic to the Pacific. Ay, the echo of that shot traversed the Atlantic and echoed in the capitals of the Old World, and wherever it was heard carried with it a feeling of sadness and sorrow such as only the death of one of earth's greatest children could cause.

"As soon as the news went abroad in the village, the inhabitants began to assemble about the Lebanon House and anxiously inquire the news from fatal room No. 15. All night long and during the weary hours of the morning the crowd remained in and about the hotel, and even after the sad announcement (at ten o'clock this morning) that the wounded statesman had ceased to breathe, they lingered and talked in whispers of the tragedy, and dwelt with sorrowful interest upon every detail of the terrible affair. It is indeed surprising how popular Mr. Vallandigham had become in the village. Coming here as he did with his anti-war odium upon him, and in the capacity of chief attorney for one whom the majority of the people believed to be a desperate and depraved murderer, Mr. Vallandigham was not received with cordial favor, nor welcomed as a guest who would do the town honor or reflect credit upon the community. Before, however, the first week of the protracted trial had passed, the ability and professional courtesy of the lawyer had won the respect of Court and Bar, and the gentlemanly suavity and excellent social qualities of the man had secured the kindly regard of all the citizens with whom he came in contact. Believing firmly in the innocence of his client, McGehan, he had entered into his defence with all the ardor of his nature, and fought his accusers step by step until the close of the evidence in the trial, and never until the fatal ball penetrated his vitals did he for a moment allow his interest to slack, his watchfulness to flag, or his enthusiasm to cool.

"During the delivery of Mr. Follett's opening argument yesterday Mr. Vallandigham was busily engaged in watching the case, taking notes, and in the intervals preparing the great argument that he firmly believed would be one of the greatest efforts of his life, and one that would not only add to his fame as a great criminal lawyer, but result in the refutation of the



theory of the State and the triumphant acquittal of his client. Mr. Vallandigham may have been too sanguine in this, but that he did entertain such opinions is abundantly evident from what he said to Mr. Williamson and other friends a few hours before the fatal shot was fired. Mr. Williamson occupied the next seat on Mr. Vallandigham's right at the supper-table last evening, and was engaged in animated conversation with him on the subject of the prospects of the case, the theories of the prosecution and defence, &c. He seemed to be in the best of spirits and perfectly sanguine of victory. Upon Mr. Williamson's stating that he intended to go to his home at Loveland that night, Mr. Vallandigham urged him to stay until the end of the trial, and especially until after the delivery of his (Vallandigham's) argument. During the afternoon and evening he had repeated this invitation to a number of acquaintances, ladies and gentlemen of the town.

"His unusually good spirits and light-heartedness were noticed by many of his acquaintances. With a view to detaining Mr. Williamson until Saturday, he gave a half promise to accompany that gentleman to his home in Loveland and spend the Sabbath. 'Frank Cozad,' said he, 'insisted upon my going with him, and I have partly promised to do so, but my inclination now is to go to Loveland and spend the Sabbath in visits to my good friends Bloss, Powell, and Tom Paxton. But,' added he, 'you remain and hear my argument anyhow, and we'll settle the matter before it is time for you to start for home to-morrow night.'

"He continued to exhibit evidences of good spirits and sanguine hope up to within a short time before the tragedy, when the receipt of a letter from his wife, stating that she had been summoned to the death-bed of her brother, Hon. Jno. V. L. McMahon, at Cumberland, Maryland, somewhat saddened him.

"Alas! how little did he while mourning his brother-in-law's death think that that same faithful sister and loving wife would within a few brief hours be notified of the still greater bereavement of her husband's death. Indeed, the heart-crushing agony that this delicate and affectionate woman is called upon to suffer is one of the most painful and touching of the features of this remarkable tragedy.

"From your reporter in attendance at the McGehan trial,

who was in Mr. Vallandigham's room almost continually from the time of the shooting until the death struggle, I have obtained the following detailed account of the tragedy :

"After taking supper, he procured from the landlord of the hotel a bit of white muslin cloth, perhaps a foot square, for the purpose of testing to his own satisfaction the question as to whether a shot fired from a pistol in close proximity to it would or would not leave a mark of powder upon it. Having provided himself with this, and put his pistol in his pocket, he and Mr. Millikin and Mr. Hume went out together to the south edge of town beyond the residence of Governor McBurney. Arriving there, they were joined by Mr. McBurney, and the trio became a quartette.

"The pistol which he took with him for this purpose is a new revolver which he had purchased only a few days before coming to Lebanon. It is one of Smith & Wesson's manufacture, with a four-inch barrel and five chambers, and carries a ball of 32-100 of an inch calibre. It is a beautiful weapon, handsomely though not elaborately ornamented, and its owner little thought, when so recently purchasing it, that it would so soon be the instrument of his untimely death.

"Two shots were fired into the cloth, and all were satisfied with the result of the experiment, and started back to the hotel.

"Mr. Millikin, ever cautious and thoughtful, said :

"'Val., there are three shots in your pistol yet. You had better discharge them.'

"'What for?' responded Mr. Vallandigham.

"'To prevent any accident,' replied the cautious attorney. 'You might shoot yourself.'

"'No danger of that,' replied Mr. Vallandigham. 'I have carried and practised with pistols too long to be afraid to have a loaded one in my pocket.'

"'You had better be careful though,' said Mr. Millikin.

"'Never fear me,' was the reply.

"They then slowly walked back toward the town, and, before they had reached the hotel, separated.

"Arriving at the Lebanon House alone, Mr. Vallandigham was stopped on his way up stairs by the landlord, and a package that had been left for him in his absence placed in his hands. That parcel contained another revolver — a weapon that had been exhibited at the trial in Court, and was not only

unloaded, but had had the chambers removed. Proceeding to his room, he unwrapped the parcel, and at the same time taking his own weapon from his pocket, laid the two murderous instruments on the table, side by side.

"A moment later, Mr. Scott Symmes, a young lawyer who has been connected with the prosecution of the case, passed the door.

"Symmes,' said he, 'Follett is mistaken. A man could easily shoot himself as Myers was shot. Come in and I will show how it's done.'

"Thus invited, Symmes entered the room; but a moment later, seeing Judge Pope coming up stairs, excused himself on the ground that he was going to Hamilton in the morning, and wished to see the Judge before he left. He passed out, and a minute or so afterward Mr. McBurney came into the room. Mr. Vallandigham, still standing by the table on which the pistols lay, said:

"I'll show you how Tom Myers shot himself. Follett's mistaken when he says it can't be done.' Saying this he took up one of the murderous instruments in his hands, put it into his pantaloons pocket, and slowly drawing it out again, cocking it as he drew it forth, he attempted to place it in the exact position which he believed Myers' weapon to have assumed at the moment the fatal bullet was sped on its mission of death. The muzzle of the weapon still within the lappel of the pocket, he brought it to an angle of about forty-five degrees.

"There, that's the way Myers held it, only he was getting up, not standing erect.' Saying this, he touched the trigger.

"A sudden flash—the half suppressed sound of a shot—and Clement L. Vallandigham, with an expression of agony, exclaimed: 'My God, I've shot myself!' and reeled toward the wall a wounded and dying man—wounded and dying by his own hands.

"This happened at the hour of nine o'clock, or perhaps five or ten minutes earlier. In a second of time Mr. McBurney, terrified at the occurrence, rushed out of the room and along the hall to the apartment where the jury was quartered. Rapping at the door, he eagerly demanded that some one should come into Mr. Vallandigham's room, as he had shot himself. Mr. Tischnor, the constable having them in charge, was momentarily absent, but several of the jurors hurried into the

room. Meantime Mr. J. C. Babbitt, whose room (No. 17) was only next door, had heard the sound, and suspecting its cause, also came in. He arrived first and found Mr. Vallandigham alone leaning against the wall. He asked what had happened.

“‘I have foolishly shot myself,’ said the wounded man as he sank into a chair. ‘What folly it was to try such an experiment! By mistake I took up the wrong pistol.’ The pistol had dropped from his hand at the moment he fired, and was still lying on the floor. The other one, empty and harmless, lay on the table.

“A moment later, three or four jurors came in with Mr. McBurney, and found Mr. Vallandigham, with clothes opened, feeling along his abdomen in search of the bullet. He remained thus employed and explaining the mistake he had made for several minutes, when, growing faint, he was laid on the bed.

“In the meantime messengers had been despatched for physicians, and the intelligence got out in town, and instantly the streets were alive with persons hurrying to the hotel to ask the truth of the story they had heard. The halls were crowded, and the anxious, almost terror-stricken faces of the persons inquiring after the nature of the wound and the condition of the wounded man, made it apparent to the most casual observer that an occurrence of no ordinary character had just taken place.

“The three reporters who were attending the trial for the Cincinnati morning papers were immediately on the scene, and upon learning the nature of the occurrence, sped the news on the lightning’s wings to the journals they represented. An hour later the news of that occurrence was being heralded under the waves of the broad Atlantic to the people of the Old World.

“There was some difficulty in finding a physician. Three, five, ten minutes elapsed after the departure of the messengers before a medical man appeared. This, too, at a time of suspense — a time when minutes became hours in their duration; an occasion when time was measured by the heart’s pulsations of a wounded man. At length, however, Dr. Scoville arrived, and following close after him Dr. Drake. An examination of the wound and a hurried consultation followed, and the prostrate man was informed that his injuries were of the most serious character, though they hoped that they might not prove to be fatal.

“‘Has the ball been reached?’ said he to the physicians.

“‘No, it has not,’ was the answer.

“‘Has it entered a vital part?’

“‘We cannot tell.’

“Closing his mouth with that firmness of purpose which so characterised him in everything, he expressed a wish that they would ascertain and tell him the worst feature that the case might present.

“By the time the second quarter after nine had struck, the crowd of persons to the room of the wounded man was so great that guards had to be placed at the foot of the stairs below to refuse admittance to all but intimate personal friends. Mr. Vallandigham’s condition was fast becoming worse, and the medical men were unable to reach the ball with any of their surgical appliances. The family physician, Dr. J. C. Reeve, of Dayton, was telegraphed to come at once to his bedside, while Dr. W. W. Dawson, of Cincinnati, had a similar summons sent to him. The son, the law-partner, and several of the immediate friends of Mr. Vallandigham were advised of his condition and urged to come at once. His wife, who only a few hours before had started to Baltimore to be present at the burial of her brother, was telegraphed to, although his exact condition was concealed from her. Here was a case of life or death trembling in the balance, and science seemed to be powerless.

“The patient at this time asked Mr. M. S. Williamson to remain with him and assist in moving him in his bed. Others, too, who were associated with him in his professional relations, were requested to stay by his side and help to alleviate his suffering.

“At ten o’clock a telegram came that Dr. Reeve had started with the son of the wounded man, and that they would arrive by midnight. During the next hour the symptoms did not appear to change very materially. Frequent examinations are made by the physicians, the wound is probed, the pulse is observed, the respiration taken, and finally the wounded man informed that he is in a very critical condition, and that if he has anything to say, or any arrangements to make, he had better lose no time.

“‘Only rid me of this pain in the stomach and I’ll be all right again,’ is the rejoinder. The struggle of life with death

has begun. The might of man begins to combat with that of the destroyer of man.

"From eleven to twelve o'clock frequent vomitings ensue and an increase of pain. Narcotics, which have been administered sparingly hitherto, are now doubled in the doses, and a sort of lethargy ensues. The hour of midnight finds the wounded man comparatively easy, but with accelerated pulse and frequent and short breathing. Soon after this he is moved to his right side, and a hemorrhage of blood follows, a hemorrhage which results in a loss of half a pint of blood, and reveals the terrible nature of the wound.

"A little past one Dr. Reeve arrives, accompanied by the son of the unfortunate man. The family physician enters, and with his practised eye, familiar with his patient, a conclusion is soon arrived at—the wounded man must die.

"Mr. Vallandigham knew him and greeted him cheerily.

"'Doctor, is my wound as bad as that of Jake Rapp?' referring to a man on whom the Doctor had attended, and who had recovered.

"'Yes, it is worse than that.'

"'Or of Lambert?' referring to another and similar one.

"'No, not worse than Lambert.'

"'Well, if you can get this pain from my stomach, I will get along.' This with his peculiar smile of self-reliance.

"At this juncture Mr. Vallandigham's son appeared and entered the room. On approaching the bedside of his father, tears filled the eyes of the young man, and there was a look of tender affection from those of the parent that bespoke the wealth of that parent's love.

"Placing his hand on the head of his boy, he fondled for a moment the object of his love. 'Charley,' said he fondly, 'be a good boy.' After a short time he again turned to him, saying: 'You are tired; you had better go to bed.'

"Weeping, the young man was led from the room.

"Here Dr. Reeve announced to his patient that he was soon going to administer some more opiates to him, and that if he had anything to say either in the way of messages to his friends or in relation to his business affairs, he had better do so now. All who were in the room left the wounded man with his physician, and their conference continued for ten or fifteen minutes. Of course what transpired then and there is

entitled to the sanctity of privacy, and should not be made public even if we were able to do so.

"From this time until four o'clock there was but little change in Mr. Vallandigham's condition. His breathing grew more labored, his pulse quicker, and at times he seemed to be in great pain. About two o'clock, Rev. Mr. Haight, of the Presbyterian church of the village, called, and was admitted. He asked the doctor if he might be allowed to speak a few words to the wounded man. 'No, I cannot permit it,' was the reply.

"Mr. Vallandigham, casting a glance at the reverend gentleman, appeared to appreciate the object that prompted the visit.

"Mr. Williamson here said: 'Mr. Vallandigham, I suppose you have been told that your case is very critical. You oughtn't to be discouraged, though, but keep your spirits up. That's half the battle.'

"'Yes,' answered the sufferer, closing his mouth with the old well-known expression of determination, and speaking from between his clenched teeth, 'Yes, sir, it's all the battle.' He then closed his eyes, but in a few minutes opened them again, fixing his gaze steadily on Mr. Williamson's countenance, said in the same tone, but enunciating with difficulty: 'This may be all right yet. I may, however, be mistaken, but I am a firm believer in that good old Presbyterian doctrine of predestination.' In fact, from the beginning, the strong, determined spirit of the man—the spirit that had carried him safely through many a well-known perilous complication, and done battle for the right on many a hard-fought field—defied approaching death, and fought inch by inch the grim spectre whose gaunt arms were already closing around him with fatal grasp. Said a gentleman who stood by his bedside during the whole of that awful ordeal: 'The man had determined, despite the bullet in his vitals, despite doctors' opinions, ay, despite fate itself, *not* to die.' During all this time and up to within a few minutes of the final agony, he lay with compressed lips and closed eyes, and bore with the fortitude of an Indian chief the agonies of death. Not a groan escaped him, nor a word save in answer to a question, or when giving directions as to change of position.

"At four o'clock A.M. the symptoms were thought to be

more alarming. Several friends of the wounded man, who had lain down to get a snatch of sleep, were roused up. The son appeared at the bedside again, the associates in trial now in progress, Judge Haynes, his professional partner Judge McKemy, and several other intimate personal friends who had arrived during the night, were grouped about the room and gathered around the bed. In the past two hours a very noticeable change had come over the appearance of the wounded man. His breathing was still more difficult, and he was manifestly fast losing strength. It was thought that his hour had come. The gray dawn of morning twilight was just giving way to the light of day. In the trees on the opposite side of the street might be heard the song of birds, and the sidewalks below were just beginning to resound to the footsteps of early-rising pedestrians.

"By the side of the bed, and fanning his father, sat young Vallandigham. At the foot sat the venerable Judge Smith; on either side were his professional associates, Judges Haynes and McKemy, and Messrs. Hume, Millikin, and others. The sound of approaching wheels was heard, and in a moment the physician who had been summoned from Cincinnati drove up to the door. A moment later he was in the room. He had driven twenty-eight miles through the dark in four hours, and found out that the patient he had come to see was beyond human power to save. He could only alleviate the suffering, not cure the malady of him whom he had come to see.

"Five, six and seven o'clock were successively struck, and the strong man lay motionless, and seemingly almost insensible on the bed. Once or twice he muttered something that indicated that his mind was wandering, but at no time did courage seem to forsake him. It seemed to be a struggle for life, with the odds fearfully against it.

"Shortly after seven o'clock Tom McGehan, the man whom he was here to defend, appeared under escort of an officer from the jail. The man charged with murder, who has always been represented as being cold and remorseless as the grave, could not repress his tears. They fell thick and fast, and, weeping, he was led from the room back to his cell.

"Nearly at the same time McGehan's wife and children were admitted to gaze upon the one whom they had hoped would be the deliverer of their father and husband, but who,



in his zeal for their cause, had taken his own life. This was one of the most affecting scenes of the day.

"From about three o'clock this morning until the hour of his death the patient seemed to suffer intense agony. Although partially under the influence of opiates, he was still conscious, and would readily answer the few questions addressed him by his friends and physicians.

"About half-past nine o'clock, after an unusually violent struggle, the eyes began to grow glassy and the face to assume that rigidly infallible sign of death. He remained perfectly quiet in this position for about fifteen minutes, when, by a sudden movement, the body stretched its full length in the bed, the eyes closed, and with a deep-drawn sigh the dauntless soul deserted its tenement of clay, and C. L. Vallandigham was dead."

The foregoing is from the Cincinnati *Enquirer*: the following from the *Commercial*, giving a few additional incidents of the closing scene:—

"The first stir of life outside was the twitter of swallows in the eaves. The cold, gray light of the morning disputed sway with the burning lamp, but when that was removed at last as no longer necessary, it seemed to have consumed the last ray of light in the face of the dying man. A deathly pallor overspread the features; the finger nails of the right hand, which from the first rested on the pillow beside his face, while the other grasped and was buried in the bed-clothes, turned blue. The time of dissolution drew nigh. With the earliest light came hosts of friends. The hotel was again filled with visitors, and the street in front was thronged with pitying people.

"But that terrible waiting for death was sorely protracted. It was a heaviness that weighed everybody down, and will make that sad morning forever memorable in the houses and homes of Lebanon.

"The great strong nature of the man struggled hard with fate, and gallantly contended for life. Consciousness was retained almost to the last moment. It looked out clear from those once magnificent eyes, and sounded in the intelligent answers to questions. As an instance: At 9 o'clock too much

pressure, by leaning on the foot of the bed, caused one of the rollers to give way, thus imparting a slight jar to the prostrate man.

"Mr. Vallandigham opened his eyes, and turning his head, asked distinctly: 'What is that?'

"Earlier in the morning he heard some one winding a watch. Said Mr. Vallandigham: 'Judge Hume, have my watch wound — it winds in the stem.'

"Around the bed now gathered the immediate friends — Judge D. A. Haynes, Judge J. E. McKemy, Jno. M. Sprigg, Mr. Williamson, Jas. L. Vallandigham (lawyer) of Hamilton, Jas. Vallandigham (printer) of Hamilton, Job. E. Owens, Judge Hume, Mr. Millikin, Mr. McBurney, Judge Smith of Lebanon, Judge Pope, Drs. Reeve, Dawson, Scoville and Drake, and many others.

"Charley came over to his father's left, for he had now for the first time since being placed on it the night before, turned off his right side and lay upon his back. A brief struggle: the uneasy rolling of the head and movement of the hands, the labored breathing, the glazing eye, the tightening of the skin upon the face and the dropping of the lower jaw; a few groans escaped the beautifully arched chest, the iris disappeared, leaving the white of the eye only to be seen, a few gasps for the fast fleeting breath, and Clement L. Vallandigham parted with life."

The news of Mr. Vallandigham's death was everywhere received with the deepest and most intense sorrow. Men of all parties sincerely mourned his sudden and tragic departure. The following we copy from the *Dayton Ledger*:—

#### "HOW THE NEWS WAS RECEIVED IN DAYTON.

"While the bulletins were flashing all the forenoon of Saturday their thrilling announcements of the dying condition of the distinguished sufferer at Lebanon, it was touching and gratifying to note how nobly and with one voice our people evinced in their anxiety, their eagerness to grasp something to build a hope upon, even in the face of the most hopeless intelligence.

"Upon street corners, in many groups, in the crowded

market-place, within the public offices of the city and county, in the rooms of the dying man's professional brethren, as well as in his household and familiar circles — over all hung the cloud of coming woe. As the bolt was hurled and the terrible suspense was terminated by the stroke of death, all felt and took mournful joy in repeating, without regard to creed or political principles or condition of life, that the memory of this citizen whose fame is national, would ever be a treasure for each townsman who had enjoyed the honor and pleasure of personal intimacy.

“Tenderest solicitude was constantly uttered for the darling boy of the heroic statesman — ‘for Charley.’ There was not a man whose son is dear to him who did not breathe a deep wish or fervent prayer for the noble lad in this his great sorrow.

“For the stricken wife, whose terrible grief was even then accumulating upon her head, not a woman whose husband is near and dear to her who did not entreat the All-Merciful to stay, if might be, the heavy hand of the destroyer, and to buoy up with the grace of our heavenly Father her crushed and agonised soul.

“It is one of the noblest traits in this distinguished man that all who knew him most loved him most. Here in Dayton, where the most intense and searching criticism has been daily maintained over his life, he was most tenderly beloved.

“This intrepid knight, confronting the nation with all its warlike energies invoked, in his convictions of right and his defence of constitutional justice, is this day, and for many years will be, mourned with the deep, heartfelt blessings of the poor and friendless. This noble champion has found the time and means throughout his eventful life to wield in his right arm the weapons of the law in defence of many, many poor neighbors, friendless young men, many a poor woman of plain apparel and station, and earned the blessed reward of the tears of grateful poverty which fall upon the tomb of the trusty counsellor whose voice is now hushed.

“Let national halls and civic chambers echo the well-earned praise of the statesman; but the tender affection and hearty sympathy which the poor in life feel for their generous and magnanimous friend in need are worthy to be reckoned in the jewels of the fame of Clement L. Vallandigham.

“The strong, robust nature of the friendships of the states-

man had drawn to him hosts of friends who 'were grappled to his soul with hooks of steel.' Never was there a man whose public contests had drawn so many enemies who could so truly boast the 'friends I have and their adoption tried' are mine still, and in his dying hours rallied to him nobly and most knightly. Around his bedside, through his protracted struggle with the last enemy by night and by day, they stood by him. Among these are mentioned Honorables Judge Haynes, Judge McKemy, Judge Dwyer, Messrs. Gillespie, Greble, Bettelon, and others.

"Special mention is due to the unwearied exertions, prolonged and exhaustive as only the physician's are of the family medical attendant, Dr. J. C. Reeve. At the first summons this heroic man, accompanied by the heart-stricken son, repaired in the night to the side of the patient and reached him at midnight. Throughout the night and until the afternoon of the departure from Lebanon with the remains for home, there was not a moment in which this zealous physician was not in active and continuous devotion to his charge, applying all that the art of medicine could accomplish for relief, and watching tenderly over the dying man.

"But Vollandigham is dead. The nation weeps; and well it may, for it has lost a noble son. The State of Ohio where he was born and where he spent the best and most active years of his life, the city of Dayton where he was intimately known and beloved, and where he was recognised as the head of his profession and of his party, feel his loss most keenly. The earnest sympathies of the entire community, irrespective of politics or religion, are tendered the widow and the son of the illustrious deceased.

"Vollandigham's name is perhaps as widely known as that of any other public man of the United States. His career has been eventful and varied. His public course has been conspicuous, commanding the most enthusiastic admiration of some and exciting the severest denunciation of others. He was a man of the strongest convictions, unflinching will and great courage. The whole country knows his qualities as a statesman and the power of his intellect.

"As a lawyer he occupied a position in the front-rank of his profession.

"The people of this community without distinction of

party feel a common grief at the sad accident which so suddenly terminated his life.

“He was fast extinguishing by his manly and social qualities all the asperities that existed in former times, and the regret felt at this calamity by his neighbors and fellow-citizens is heartfelt and universal.”

A little after two o'clock in the afternoon, the mournful cortege, escorting all that was mortal of Clement L. Vallandigham, started from Lebanon. The carriages and the hearse containing his remains were driven as rapidly as possible, and about six o'clock approached the city of Dayton. Several gentlemen came out to meet the body; and it is probable a large number would have come had it not been for the dark clouds which had been gathering all afternoon, and which now hung gloomily and threateningly over the city. As the cortege reached the summit of a hill, so that those composing it could overlook Dayton, a dark and most sombre cloud hung over the city, and blackened the sky down to the northern horizon. Against the darkness of the sky, the spires, towers, and pinnacles of the churches and public buildings stood out so ghastly white, like sheeted ghosts, by the contrast, that it was startlingly awful in appearance; and as they entered the city, a fearful storm burst over them, the thunders rolled solemnly above their heads, the lightning flashed frightfully, and the rain poured down in torrents; and thus, amid the wild convulsions of the elements, Clement L. Vallandigham was carried to his home, never more to enlighten it by his genial presence in life, nor make it happy by his kind hospitality. In gloomy silence, the mournful burden was borne through the door and deposited in the room which so many times had been made joyous by his pleasant humor, and where he had spent so many delightful hours of domestic happiness.

## CHAPTER XXIII.

### THE FUNERAL.

THE funeral of Clement L. Vallandigham took place in Dayton on June 20, 1871. It was an occasion of the deepest solemnity, eloquently testifying to his great virtues, his wide popularity. The city was thronged with sincere mourners. From the east, the west, the north, the south, crowded trains came in the night preceding, and the morning of the sad day brought new hosts. Delegations from Cincinnati, St. Louis, Chicago, and other Western cities arrived by every train, and the hotels were filled to overflowing. From the country around Dayton great numbers of persons flocked in, and early in the day the streets were massed with people, and the broad avenues alive with vehicles of all descriptions, the general interest and feeling deepening with each hour. Never before was so great a multitude assembled at a funeral in this region, and touching indeed was the feeling of sorrow which seemed to pervade the vast concourse. Dayton was a mourning city; many of her houses draped in black, and the national flag tied with crape, floating from the cornice of the Court House; business was entirely suspended, stores and public buildings being closed, and an atmosphere of gloom overshadowing all. Faces were grave with regret and voices hushed into tenderness, while the people went about the streets talking of

Clement L. Vallandigham, his nobleness, his charity, his legal ability, his eloquence, his courage, his good and great gifts — all were recounted with an earnestness which of itself told unerringly how deeply he was revered and beloved. In the general sorrow which prevailed, political differences and antagonisms seemed to melt away. Republicans met with Democrats in hearty regret for him who had gone, remembering only his nobleness, his high graces of mind and heart. All ages, classes, and religious sects knew no division in their sorrow, no separation in their yearning wish to do him honor.

At 9 o'clock on the morning of June 20th, Mr. Vallandigham's residence on First street was opened to the public, thus affording all an opportunity of looking upon him for the last time. That peaceful, happy home! amongst its beautiful flowers and clustering shrubbery it stood saddened and desolate. He who had ever given his friends true welcome within its walls was indeed there, but how changed! Silent the eloquent lip, closed the beaming eyes, and stilled forever the warm, brave heart. In his last sleep he lay, within the hall of his home, attired for the grave, his face calm, composed, bringing back clearly the man so truly revered by the vast crowd which slowly and sadly filed past.

On a catafalque covered with black velvet, and placed in the centre of the hall, rested the coffin. It was of rosewood, richly and beautifully finished; on each side were four massive silver handles with silver tassels; it was ornamented with Masonic emblems, engraved on silver shields set between the handles. On the lid was a broad plate with the inscription:—

CLEMENT LAIRD VALLANDIGHAM.

*Born July 29th, 1820.*

*Died June 17th, 1871.*

From 9 o'clock for some hours an unbroken tide of people passed through the hall. It was an immense motley crowd, but swayed by deepest feeling; strong men and gentle women burst into tears as they gazed for the last time upon the dead. He had been an idol amongst them, enthroned in the hearts of the people as few public men have ever been or can ever be.

Through the hall the visitors passed out to the side piazza, and from thence through the yard of the house next on the east, a portion of the fence having for the time been taken down. About the hour of 11 A. M., the doors of Mr. Vallandigham's home were closed to all persons, and preparations commenced for the last rites. Meanwhile, the streets through which the funeral cortege was to pass were closely lined with people and vehicles. Each arriving train swelled the multitude; numbers came from Toledo, Cleveland, Chillicothe, and densely crowded trains from Springfield, Hamilton, and Cincinnati. The Court House steps and the balconies of the hotels were filled long before the procession was formed.

The funeral service began at 1 o'clock. The coffin had been taken from the hall to the parlor, where were gathered sorrowing, sympathising friends. The house was crowded, while the piazza, the front and side yards, the pavement and streets, were thronged with people. By the time the service began, the crowd in the street in front of the house had increased to thousands of men, women and children. Opposite the house, and for squares, was a compact mass of human beings, anxious to look once again upon the well-known face of their beloved fellow-citizen. When the Masonic Order came up, with members of the Dayton Bar, and other societies



following, it became necessary for the marshals of the day, assisted by the police, to clear the way; this was done, however, quietly and without trouble. The funeral ceremonies were conducted by Rev. E. P. Wright, Rector of Christ Church, who read the Episcopal burial-service. In his white surplice he stood in the front door-way, and the solemn and beautiful words sounded distinctly throughout the house, and reached the dense crowd outside, listening in reverential silence and with uncovered heads.

The service concluded at half-past one, and the casket was carried to the hearse by the eight pall-bearers — Hon. George E. Pugh, David A. Houk, John Howard, Samuel Craighead, Elihu Thomson, O. C. Maxwell, D. K. Boyer, and W. H. Gillespie — all of them residents of Dayton, with the exception of George E. Pugh, of Cincinnati. The lid of the casket was covered by wreaths of flowers, exquisitely mingled with English ivy and lilies, while clusters of pure white flowers were grouped about in the hearse, which was of ebony and silver. At a quarter before two, the funeral procession moved in the following order:

Grand Marshal.

City Police.

Knights Templar Brass Band.

The Masonic Order.

Hearse and Pall-bearers.

The Clérgy in carriages.

The mourners in carriages occupied the usual place. They consisted of the following persons, Mrs. Vallandigham not being in a condition to attend: 1st. Charles N. Vallandigham, his son, Judge D. A. Haynes, his law-partner, and his two

brothers, the Rev. James L. Vallandigham and Dr. George S. Vallandigham; 2d. Mrs. M. E. Robertson, his sister, Mr. and Mrs. Gilman, and Miss Maggie Robertson, nephew and nieces; 3d. Dr. Irving S. Vallandigham, James L. Robertson, Esq., Dr. John S. Robertson, and J. L. Vallandigham, Esq., nephews; 4th. Dr. R. S. McKaig, John A. McMahon, Esq., and John M. Sprigg, Esq., relatives of Mrs. Vallandigham. The remainder of the procession was made up of the Bar of Ohio (of whom there were said to be 500 in line), the Eschol Lodge, I. O. B. B., a Hebrew organization of Dayton, the members of the Dayton Bar, citizens on foot and citizens in carriages, making a line of immense length. The procession was over half an hour in passing the Court House, moving without making a single pause. Here alone the carriages numbered one hundred and thirty-one, and every cross street sending in an additional stream, the number of carriages that gathered at the cemetery must have reached three hundred. Not a few also of the hundreds of yeomanry united with the procession as it moved on its solemn way.

To his last earthly rest so passed Clement Laird Vallandigham. Through the streets which never again should know his quick, firm step—beneath the shadow of homes where his name had been a household word, and his presence ever a delight—along the avenues of the beautiful city, for years his chosen home, he went—to “the City of the Dead”—a great multitude following him, and sorrowing “that they should see his face no more.” O scene of tender, affecting solemnity! The soft summer sky overhead, the hushed city, the stately hearse, the long line of carriages, the imposing column of societies, orders, and officials, the vast throng of

mourning people, all thrilled by one common sorrow, stricken by one mighty bereavement! Slowly the sad procession moved on, reaching at last the grave in Woodland Cemetery. This was in Mr. Vallandigham's lot near the centre of the cemetery, a beautiful spot. Here in expectation of the great attendance, ropes had been put across, within which only the family, immediate friends, and persons directly interested in the last rites, were admitted. On arriving at the grave, the family and nearest friends placed themselves beside the casket on one side, whilst the remaining sides within the ropes were occupied by the members of the Bar and the members of the Masonic fraternity, who defiled in two lines. All being in readiness, the Master of the Masons, with the Chaplain and others selected to conduct the last ceremonies, advanced from the outer circle to the edge of the grave, and repeated the touching burial-service of the ancient order. Then as the last words of the prayer died away, the subdued slipping of the ropes was heard as they were drawn out from beneath the casket. Now came each Mason, according to their ancient rites, casting into the tomb the little green sprig, telling of their ever-living regard for the memory of their beloved and honored brother. And then what remained but "dust to dust, earth to earth"? — the "clods of the valley" covering the precious remains and hiding them from mortal sight! And while mourning friends slowly returned to their carriages, and the sad dirges of the band were heard, the great crowd, sweeping away the slight barriers, began to press round the grave, eager to see the spot where had been laid the man they loved and admired so truly.

And is this then the *very last* of earth for him? Even so; he has passed from the stage of life, and "the places which knew

him once, shall know him no more again forever." Farewell, then, pure patriot soul! true, brave heart, farewell! He has gone; but we catch the echo of his words, long ago spoken, though with a different meaning, yet we would write them on our hearts, and with the eye of faith read them above the tomb where he sleeps so well:—

“ ‘*Resurgam,*’ *I shall rise again.*  
*And it will be a glorious resurrection.*”

The following interesting incident in connection with the funeral, it may not be out of place here to record. On that day a large mass-meeting of the Democracy was assembled at St. Clairsville. General George W. Morgan, a political and personal friend of Mr. Vallandigham, was to address the meeting. He took the stand at 2 o'clock, just as the funeral procession was pursuing its sad and solemn march to the silent city of the dead, and commenced thus:—

“*Fellow-Citizens*:—Death has suddenly removed from the scenes of action one of our most distinguished statesmen. Vallandigham is no more. Never again will his voice be heard in council. Never more will the people be inspired by the magnetism of his presence, or roused to action by the inspiration of his eloquence. He is dead, but his name will live in the hearts of his countrymen. Now while I speak a vast concourse of his mourning friends and admirers are following his remains to the tomb. In respect for his memory let us stand uncovered while his remains are being placed in their last earthly home. [The entire crowd rose to their feet.] The sod of the valley now rests upon his bosom, but his spirit is with us here to-day, and the highest eulogy we can pay to him will be to faithfully continue battling for the cause of the Constitution and the people.”

We have already mentioned that Mrs. Vallandigham was not in a condition to attend the funeral of her husband. A Sen-

sitive and delicate by nature, her terrible bereavement crushed her to the very earth. She received the tidings of her beloved husband's death while standing beside the coffin of an endeared brother. And so from "the house of mourning," she went to her own desolated home in Dayton — a long and weary journey, which told heavily upon her exhausted strength and stricken heart. For some weeks after her husband's funeral, Mrs. Vallandigham was confined to her bed from prostration induced by the bitter calamity which had so cruelly swept over her. When her strength seemed a little to return, upon medical advice, she was taken by her friends to her early home in Cumberland, Maryland, and all hoped the change of scene and residence would soothe and revive her. But the wound was too deep for any "balm" to reach, the shadow too dark ever to be lifted. Day by day she faded, her frail hold on life relaxing, her strength ebbing, until at last the weary heart ceased its throbbings, and was forever at rest. Mrs. Vallandigham died on the morning of the 13th of August, peacefully falling asleep — the last letter her beloved husband had written her closely clasped to her breast. Thus she left what had become to her a world of sorrow and sighing. Not long "divided by death's cold stream" from the husband of her love, she crossed over after him, "to where beyond those waters it is peace." And so with her "it is well."

## CHAPTER XXIV.

### • TRIBUTES TO HIS MEMORY.

THE news of the tragic death of Mr. Vallandigham produced a profound sensation all over the country. Scarcely a newspaper of any reputation in the land failed to pay some tribute to his memory. A large number of Bar meetings and meetings of citizens were held in various places, where most flattering testimonials were rendered to the many excellences of his character and his abilities. It may not perhaps be usual to publish in biographies such testimonials and newspaper tributes; yet as future generations must judge of a man not only by the facts of his life, but also by the opinions expressed by those contemporary with him and the feelings developed by his death, we venture to lay before our readers such testimonials and tributes to his memory as have been brought to our notice.

#### “MEETING OF THE BAR.

*“Dayton, O., June 19, 1871.*

“A meeting of the bar was held this morning. Hon. S. Bolton in a few appropriate words announced to the Court of Common Pleas the death of Vallandigham, and in accordance with his motion the Court adjourned until next Friday in respect to the memory of the deceased. In the Superior Court, Samuel Craighead, Esq., alluded in a feeling manner to the death of Vallandigham, accompanying the motion for an adjournment with a strong and eloquent tribute to his memory.

“Judge Lowe made the following response :

“In the remarks and suggestions which have just been made I perfectly agree. The terrible accident which has brought death to our friend and brother, and unfeigned sorrow to innumerable hearts throughout this broad land of ours, from ocean to ocean, and from the Lakes to the Gulf, weighs so heavily upon us who were his familiar friends, that the performance of our ordinary duties in this place, for the present at least, is impossible. While I have at this time no formal eulogy to pronounce upon Mr. Vallandigham, I am constrained to add a few words to the testimony of the great multitude who everywhere are reminding themselves and others of his virtues and sorrowing over his untimely end. Of his abilities as a lawyer and an orator it is needless to speak. They have secured for him an honored name, not only throughout our nation, but wherever the English language is spoken throughout the world. We, however, have seen and known him also amid the gentle amenities of social life, and we know, what perhaps the world does not, that he was an affectionate and faithful husband, a most tender father, a kindly neighbor, a just and upright citizen. We know the warmth of his attachment to his friends and the readiness with which his heart responded to every manifestation of personal regard, that kindness always melted him as the sun the snow. When we remember the stormy life he lived, his firm belief that Providence was still preparing and training him for distinguished usefulness, and that prosperity in the future would make ample amends for disappointment in the past, we can easily understand his expression of confidence during Friday night that God would not allow such an accident at such a time to end his life, and we stand in awe and wonder at the different ordering of Him who is indeed inscrutable and whose ways are past finding out. To me, as his friend, it is a matter affording great satisfaction to know that to the end of life, amidst all the sophistries of modern infidelity, he held fast to the faith in God and His Holy Word, and in His Son, the Divine Saviour of mankind, which he received in childhood at his mother's knee. Could the silent lips now speak, they would say, as we must, ‘that while God's ways are not as our ways, yet the Lord of all the earth surely doeth right.’ At this moment Burke's solemn reflection rises naturally to our lips, ‘What shadows we are, what

shadows we pursue!' We look forward upon our pathway as shining before us through distant years, when perhaps an open grave yawns at our very feet. A man's heart deviseth his way, but the Lord directeth his steps. Shall not each one of us be instructed by this most sudden mournful event,

'To so live

That when the summons comes to join  
The innumerable caravan which moves  
To that mysterious realm, where each shall take  
His chamber in the silent halls of Death,  
We go not, like the quarry slaves, at night,  
Scourged to their dungeons; but, sustained and soothed  
By an unfaltering trust, approach the grave  
Like one that wraps the drapery of his couch  
About him, and lies down to pleasant dreams'?

"The Court thereupon adjourned until Wednesday morning at nine o'clock.

"At the bar-meeting this afternoon, Senator Peter Odlin alluded to the excellent character of the deceased. There was no man living in his day that commanded more intensely the attachment of his friends than Mr. Vallandigham.

"Mr. Odlin also paid a beautiful tribute to the courage and sincerity of the deceased, and waiving the political difference which he had with him, acknowledged the mark that he had made upon his own age in whatever capacity he had appeared. But Mr. Odlin paid an especial tribute to his manliness as a member of the legal profession, how free he was from everything that was not honest and true; how sincere, square and pecuniarily incorruptible he always appeared, and really was. From this he touchingly glided into the peculiarly accumulated griefs which had fallen upon Mr. V.'s wife and family, adding to the death of a brother that also of a husband.

"A committee was appointed to report resolutions expressive of the feelings of the Dayton bar, consisting of the following gentlemen: Geo. W. Houk, Lewis B. Gunckel, Henderson Elliott, Samuel Bolton, J. H. Baggott, E. W. Davies, E. S. Young, Adam Clay, and George W. Moyer. The meeting then adjourned till to-morrow at 10 o'clock.

#### " MEETING OF THE BAR.

" *June 20.*

"The members of the Dayton bar met in adjourned meeting at the court-house at ten o'clock, many celebrated lawyers and



jurists from abroad being in attendance. We have seldom seen a sadder assemblage of men gathered in a single apartment. There were young lawyers just starting in the profession, and aged jurists who had climbed the dizzy steep of fame, sitting side by side and sharing in the common sorrow. The appearance of the meeting was inexpressibly pathetic.

“Hon. Peter Odlin occupied the chair. He stated that a committee had been appointed the previous day to draft resolutions to be reported at the present meeting. Distinguished gentlemen were present, and, as the committee were not entirely prepared for their report, it would give those present great pleasure to hear from some of them in regard to their deceased brother. All would be very happy to listen to some remarks from Judge Thurman.

“Senator Thurman arose, and, with visible emotion, spoke as follows:—

“*Mr. Chairman*:—At a bar meeting like this, composed of gentlemen of different political sentiments, assembled to pay a tribute of respect to a deceased professional brother, any remarks other than those touching his professional character, or his character as a man, would obviously be out of place. I suppose that this consideration must necessarily abbreviate what I have to say, if indeed brevity were not greatly to be desired on this occasion.

“Of the professional character of Mr. Vallandigham I have no personal knowledge. I never saw him try a case; I never heard him make a legal argument. I have read some of his printed arguments that were characterised by that force of mind, that felicity of expression that marked every production of his pen. But in the actual struggles of the bar I never saw him in my life. And yet I know he must have been a great lawyer by the reputation he attained in a city whose bar is second to none in the State, and where no ordinary man could attain the standard he attained. And I also know it well from my knowledge of the man himself—a knowledge extending through thirty years of his life. I know he had that quickness of apprehension, that grasp of mind, that sturdiness of purpose, that earnestness of will, that felicity of expression, that magnetic eloquence and that untiring industry which could not fail to achieve success at the bar, when coupled with an integrity of character, both in his public and private career, which no man ever called in question.

“I know, therefore, that he must have been a great lawyer. I saw evidences of it in the sad circumstance that produced his death ; for he had one remarkable trait of character that perhaps brought him to his untimely end. In whatever cause he embarked—be it political, be it moral, be it professional—he threw his whole soul into it. It seemed impossible for it to be otherwise. Many a time have I met him in political conventions, or in social intercourse, when political or moral subjects became the topic of conversation. Many a time I have agreed with him, but not infrequently have I disagreed. And yet I could not help being struck with the fact, that however much to my mind it might appear untrue, he never failed to be thoroughly convinced of its truth himself. His mind was so constituted that his theories were truth itself to him. however much to others they might seem unsound.

“And now, with that eagerness of mind, that ardor to which I have alluded, he prosecuted every cause which he espoused, and I can not help thinking, after reading with careful and painful interest the circumstances of his death, that he owed it to this trait of his character. He had a theory of the defence of his client, whether right or wrong I know not, and if I had an opinion in regard to the matter it would not be proper to express it. But I have no doubt it was truth itself to him. I have no doubt it was as a revelation to him. I have no doubt that he believed it as much as he believed in his own existence, and that in his eagerness to impress that belief on others, in that ardor with which he threw himself into his cause, in the efforts which he made to impress upon his associate counsel, not only the probability, but the actual truth of his theory, he lost that prudence which characterises most men, and seized and made fatal use of that weapon by which he came to his untimely end.

“Mr. President, many a lawyer has lost his health, and even his life, in the pursuit of his profession, by an overworked brain, by sickness contracted in the exposure that sometimes attends a professional career. By agitation of mind, loss of happiness, and sometimes loss of friendship, men have become wearied of life and sunk gradually into the grave. But no man that I ever knew, or ever heard of, lost his life in so dramatic and heroic an exercise of his profession ; no man ever

had so thorough and complete an absorption in his cause as our friend.

"Most grateful to his friends is the fact that, without regard to party, without regard to political subjects, without regard to any subject whatever, there is now one universal voice of lament, one universal expression of sorrow throughout the length and breadth of the land.

"At the conclusion of Senator Thurman's speech Judge McKemy, of Dayton, spoke briefly and feelingly in eulogy of the deceased, alluding to the kind relations that had always existed between himself and Mr. Vallandigham.

"Hon. S. S. Cox, of New York, formerly an honored son of Ohio, was called upon. He spoke in his usual eloquent manner, his voice being frequently inaudible from profound feeling.

"He said:—

"*Mr. President:*—I have been some two nights and a day upon the cars coming hither, and I am almost unfitted by reason of physical exhaustion, as well by reasons of an emotional nature, from making any consecutive speech, or even linking consecutive thought. Judge Thurman has well defined the lines of character that marked Mr. Vallandigham. He spoke specially about his relations to the bar and his legal accomplishments. In that high forum he showed those characteristics which came, I think, from his early rigid Presbyterian discipline.

"But I think, Mr. President, it would be unjust were I not to say — what has doubtless occurred to gentlemen more intimately and recently associated with him here — that within the last few years he toned to a better harmony many of the attributes belonging to our discordant partisan politics. I think that members of the bar, with whom he differed, as he did with me often on political matters — I think that members of the Democratic party, and especially gentlemen of the opposite party, have found that as he grew older he had a larger humanity.

"As time walked along with him, hand in hand, it seemed that his character became more mellow, graceful and gentle. It seems to me that that is the experience of our friends here

who are listening so intently to my words. It is this ripe, mellow and graceful finale to his life of struggle which makes this the most mournful day Ohio ever knew. In our early associations, Mr. President, especially in Congress during the war, he showed those rigid outlines of character which seemed to many proof of uncharitableness and bitterness. His recent revelations in regard to our national politics have not only a kindly but a national significance. By his 'new departure' he sought to draw with cords of common love and mutual patriotism, men of all parties, and men of no party, and men of both parties, into a common and kindly unity.

"I have known the deceased, Mr. President, in many relations. When I first knew him he was in the Legislature. Even then he was a leader of the people, although not more than twenty-one years of age. I think that he was, perhaps, the man who did more than any other in Ohio to inaugurate your new constitution. Of that, Senator Thurman can speak more definitely. Yes, I am sure I am right. My first incident with our friend was, strange to say, about international law. When I came back to Ohio from college, I sent him a little *brochure* which I had written upon the work of Hugo Grotius. Mr. Vallandigham read it, and with a kind, scholarly and careful sympathy wrote me a letter of praise about it, long before I ever knew him, or expected to be on Foreign Affairs Committees, or go to live in New York city to try international cases before Claims Commissioners. I met him afterward in 1853 at the Democratic State Convention of that year. It was a wild, fierce Convention.

"Mr. Vallandigham was President of that Convention. It was there I first saw displayed his command of men, his tact, his indomitable courage and parliamentary skill. I was impressed greatly with his courage, earnestness, and the incomparable skill which he there displayed. I then observed, also, what I afterward had occasion to know in public debate at Washington, that no man was more thoroughly versed in parliamentary law, or its practice, than he. In the language of a quaint old English author, he wielded his rapier as if it were a 'lissome lath.' He never failed to make his mark either upon the gallery or upon the members. He was always carefully heard when he spoke. In a body which measures men by instinct—and at that time full of great debaters—he had

no peer. Those who knew him best as a painstaking scholar, will not fail to recall his painstaking *labor limæ*. He worked on his most elaborate speeches under the lamp. But while he was seldom satisfied with his matured efforts, he always liked to have his friends like his impromptu efforts. Never shall I forget the fierce, defiant, bold, able, logical and legal debate on the conscription law. Whether he was right or wrong, he believed he was right. He hurled his terrible philippics with such defiant energy of utterance, coupled with an unfailing grace of manner, that even the five thousand opponents in the galleries gave him their plaudits.

"But, sir, I come here not to analyse his character, or to speak of political associations, but simply as a friend who never differed with him in friendly relation, though often in other regards. But I have often received hospitality at his hands, in your city, and his house has always been so open—his kind and noble bereaved wife [sensation] has always been so ready to welcome her husband's friends—that I would prefer to speak of him in social and personal matters. I come as all you feel—from our families—from our wives and sisters and mothers and children—to lay something before the widow and the orphan boy that will relieve the desolation of the one by our sympathy, and direct the other along that path of public and private probity and honor his father trod. In fine, I come as a friend to lay a June rose on his bier—to speak of my friend, who is, alas! gone, but whose memory remains. It will last as long as your beautiful Miami Valley, where he will sleep his last sleep.

"General McCook was the next speaker. He said:—

"I did not desire to utter a word upon this occasion which has brought us together. I understood it would not be expected from me, and I would be silent now if I had not been named by the gentleman upon my right, and but for the fact that my silence might subject me to misconstruction.

"I have known Mr. Vallandigham longer, perhaps, than any person who has been of recent years associated with him. I commenced the study of Latin in a school taught by his brother, and where he himself was a pupil. Our relations from that time on, through almost the entire period of our lives,

have been friendly, and for years and years there was not a line of difference between us. I have not known him in his professional career of late years, for I was a young man when he left the part of the State where I was born and in which I resided. I have never been associated with him in the trial of a cause, and, as Judge Thurman has remarked, I never heard him try a case. My experience of his ability was confined to a single professional relation that I sustained to him. I was retained by him to argue his right to a seat in Congress against the distinguished gentleman whom I am glad to see attending this meeting to-day. I mean Mr. L. D. Campbell. That case involved no questions that required great professional ability. The questions were mere statutory questions upon the right to vote, and, in some cases, upon the powers of the court.

"But I know, as Judge Thurman says, that he must have been a great lawyer, for he had the qualities which at the bar always command success. I know that in that direction he was a tireless worker, and it has always seemed to me that if he had a fault at all, it was this wonderful persistence upon separate facts in a case, not necessary, as it seemed to my mind, to the determination of it. He was unwearied in the pursuit of every fact. Details, irksome to so many—I do not know that we ever reach generals successfully without the closest attention to details—commanded his careful attention.

"He had great force of will, he had great energy of character, which will win the race against intellect among men at the bar, and anywhere in the struggles of life. He was a man who, as Mr. Thurman has well said, never had a doubt. His mind seemed never poised in deliberation, but he seemed to speak always with the sincerity of an assured conviction that nobody could shake and that no enemy could overcome.

"We mourn the circumstances of his death. We sympathise with the family that he has left behind him. We sympathise with his only son and with his distracted wife, and we are called to mingle our griefs with theirs, and would be gladder still if our sympathies could alleviate the terrible violence of the blow that has fallen upon them. We think his death unfortunate, and in some aspects it undoubtedly is so. The old Greek would have said that he died a happy death, that he died with his armor on his back, and that his armor sounded as he fell. He died in the pursuit of his profession. He died

as the brother of Webster died, who fell his length before a jury while arguing a cause.

"I say that I had not intended to speak a word on this occasion, and if, as I have already remarked, my silence might not have been subject to misconstruction, I would have preferred to have heard from others who knew him more intimately at the bar—that arena to which he had for the last few years more especially devoted himself. But I could not, when called upon here, fail to say what I have said.

"The Hon. L. D. Campbell, being repeatedly called for, finally arose and said:—

"Were it not that I regard this as a most extraordinary occasion indeed, I should not have attempted this morning to leave the sick-room to which for some time past I have been confined. And now that I am here, Mr. President, it seems to me that silence on my part would more fitly express the emotions of my heart. A few nights ago, or rather in the morning, prostrated and suffering from sickness, I was aroused by special messengers sent from Lebanon to announce to me that Mr. Vallandigham had accidentally shot himself while engaged in conducting the trial of McGehan. Prior to this my mind had not infrequently been attracted to this case, because of the peculiar circumstances surrounding it, and because the crime with which McGehan was charged was perpetrated within a few hundred feet of my residence. I could not realise the truth of the message for some time. Alas! it was too true, and the wound too fatal. Mr. President, I am neither physically nor mentally in a condition to do this subject justice, or to do myself justice. I did not know Mr. Vallandigham so well as those who were his immediate neighbors, and yet I had opportunities of measuring his intellectual strength on many occasions. It will be remembered by most of those by whom I am surrounded now, that nearly twenty years ago he and I were selected as representative men of two great political parties. I refer to the days when the old Democratic and the Whig party were pitted against each other, and they were led by giant intellects, such as Webster and Everett on one side, and on the other by Buchanan, Cass, and Douglass.

"Mr. Vallandigham and I were chosen as champions to

meet before the people. Then for the first time I made his acquaintance, and from the very hour that we began the discussion of the political questions of those days, I formed a very high opinion of his political strength. He was a man endowed by the great God of nature with peculiar attributes. And his natural abilities had been carefully cultivated until, even at that early period of his life—twenty years ago—he was a man of gigantic strength in public debate. It is true, I had ten years more experience, for I was ten years his senior; but inexperienced as he was, I felt the power that he wielded before the people. Never, from that time, have I failed to most highly appreciate his abilities as a public man.

“One of his great traits of character was that of individuality. Most of us are deficient in that respect. We are all too apt to lean upon others for assistance and support in the hour of necessity. But Mr. Vallandigham threw himself back on his own individual resources, and without regard to the character of the opposition he had to encounter, relied upon himself; and it was that great trait of his character, Mr. President, his individuality, that consciousness of having himself the strength and power to lead the people and carry them with him, which, in my judgment, was the secret of his success.

“It has well been said that we had reason to believe there was a new field of usefulness open to him after a life of storm, as it were. But he has gone, and I submit to the decree of fate. ‘After life’s fitful fever he sleeps well.’

“Mr. Campbell resumed his seat, overcome with emotion.

“There was a general desire to hear from Judge D. A. Haynes, the late partner of Mr. Vallandigham, and he was several times called for, but he desired in a trembling voice to be excused, without assigning any reason.

“Mr. Geo. W. Houk, from the Committee on Resolutions, presented his report, prefacing it as follows:—

“It is difficult, Mr. President, upon these frequently-recurring occasions, in giving expression to our emotions, to depart from the ordinary language of condolence or eulogy.

“But the death of Mr. Vallandigham, so tragic, so affecting, calling him at once from the very mid-day of an active, vigorous, promising and ambitious life, to that other state of



existence of which mankind can have no glimpse but by the eye of faith, touches the profoundest depths of our nature, and suggests the deepest reflections upon human life and destiny.

"We are forced to reflect upon the mysterious character of that wonderful change which by a physical instrumentality, so trifling in itself, has extinguished to the living world an assemblage of faculties, personal, intellectual and moral, that seemed organised to influence the destinies of a great people.

"That form so familiar to us, and but yesterday instinct with vigorous life, is to-day — dust. All his high hopes and aspirations, the cloud-capped towers and gorgeous palaces reared by his ambition, are now but the stuff that dreams are made of — 'his little life is rounded with a sleep.'

"The memory of his manly presence, the recollection of his courage, his eloquence, his integrity, his patriotism and many virtues:

"It is in testimony to these your committee make this report:

"The Dayton Bar, deeply sympathising with the entire people in the thrill of sorrow occasioned by the sudden and tragic death of the Hon. C. L. Vallandigham, and moreover bound to him in the brotherhood of our professional relation, as well as by the ties of social and friendly intercourse, desires to give expression to its profound grief by these proceedings.

*Resolved*, That we bear willing and unanimous testimony to the distinguished ability of our deceased brother as a lawyer; his extensive and thorough acquirements as a scholar, his industry as a student, his boldness as a statesman, and his courage as a man. That these qualities, united with an unusual degree of mental force and an invincible determination of character, have given Mr. Vallandigham a national reputation, and stamped him as one of the most remarkable men that have appeared in the political history of the United States.

*Resolved*, That we wish especially upon this occasion to record our appreciation of Mr. Vallandigham's uniform courtesy and kindness in his professional relations, especially to the younger members of the Bar; his habits of close study, application, unremitting and enthusiastic devotion to his professional engagements, which the sad occasion of his death has sanctified as an example of precious value to the American Bar. Although

his career has been so unexpectedly terminated by an early death, his life, comparatively brief, but brilliant, active and eventful as it was, is replete with suggestions of value, not alone to the young men of his profession, but to all who possess the honorable ambition to bear a conspicuous part in professional or political life.

*“Resolved,* That in this hour of double and crushing bereavement to a fond sister and devoted wife, called from the grave of a revered and affectionate brother whose distinguished talents shed lustre upon the American Bar, to attend the obsequies of one still more dear to her as a husband, and whose brilliant fame marked him at this time as the most conspicuous figure in American politics, the Dayton Bar, acquainted with the virtues and excellence of Mrs. Vallandigham’s character, tender to her and her son its heartfelt sympathies, and directs that they may be furnished with a copy of these proceedings.

*“Resolved,* That as a mark of respect for the character of our distinguished brother, and our grief at the deplorable occurrence of his untimely death, the Dayton Bar, inviting such of our brethren from abroad as shall be with us on this occasion, do attend his funeral in a body, and that we will designate a day hereafter when these proceedings shall, on motion, be offered for record upon the minutes of our respective Courts.

“The following was offered by Hon. George W. Houk:—

“The Dayton Bar, being informed that the Hon. John W. Garrett, President of the Baltimore and Ohio Railroad, upon receiving information at Baltimore of the sudden and lamentable bereavement of Mrs. Vallandigham and her consequent prostration and distress—she being then at Cumberland, Md., attending the funeral of her deceased brother, the Hon. John V. L. McMahon—promptly tendered the use of his private coach, and made arrangements to have her thus conveyed, with her intimate friends alone, from the city of Cumberland to her home in Dayton, we hereby desire, for ourselves and on behalf of the family and friends of Mrs. Vallandigham, to give public expression to our and their appreciation of an act of kindness and sympathy so delicate and considerate; and we request a copy of this acknowledgment, signed by the President and Secretary of this meeting, to be forwarded to Mr. Garrett.

“The resolutions were unanimously adopted.”

Similar meetings were held at Cincinnati, Lebanon, Hamilton, Newport, Ky., and other places.

At the meeting in Cincinnati the following remarks were made by the Hon. Wm. S. Groesbeck:—

*“Mr. President:* I did not come here with the expectation or intention of talking. On occasions of afflictions such as this, my inclination is to silence rather than to noise or display. But I have come here to meet with the rest of you, and to unite in an expression of sorrow over the great bereavement—family bereavement, social bereavement, bereavement of the State, and, in my judgment, bereavement of the nation—that has fallen upon us. We have lost, unexpectedly, and in a most unsatisfactory manner, a distinguished and valuable citizen, one whom I have known intimately for many years. We entered Congress at the same term, and at its conclusion he remained, while I returned home.

“I have met Mr. Vallandigham frequently in the past two months, and have come pretty well to understand all his views and plans. I do not propose to make party allusions here, for this blow is felt by all; but I can say that all his plans, without exception, as even his opponents and critics must admit, were those of a brave, honest, able and patriotic man. I know, if his life so full of strength and vigor had been spared, he would have demonstrated to the country the integrity of his purpose and his love of his State and the nation.

“But I am not here to talk. I cannot do justice to our friend. I am without preparation for such a work. It is my pleasure, as it is the duty of all, in such an afflictive event as this, to say that we heartily render to him the proper tribute for all his virtues.

“I cannot say much more. I do not know what to say. I knew his ambition to be useful; to serve his country. He had no mean ambition. He had great qualities and harbored nothing mean. I know it. I know it as well as others, and better than some.

“I can hardly be reconciled to this loss. It is to me inexplicable, unsatisfactory. It has shocked his home city, this city, the State and the nation. I am glad to see this unanimous tribute to his known qualities. It never entered into my ima-

gination that Mr. Vallandigham was not thoroughly honest in all that he did or said. Anything mean or dishonest he would have thrown out of the window — he would harbor nothing of the kind.

“Had it ever happened that an outside enemy — I will not say nation — had ever touched the hem of our national garment with evil intent, we would have seen a grand exhibition of his patriotism. Brother fighting brother — Damon warring with Pythias — was a different thing. But I stop. I lay this small oblation upon the altar erected to his memory. He was all I have said; he was even more.”

### THE PRESS ON MR. VALLANDIGHAM'S DEATH.

[From the *Boston Post*.]

With eminent abilities, a rarely cultured mind, fluent imagination, courageous, and aspiring to the highest distinction, because conscious of his capacity if he attained them, the last utterance almost of Vallandigham was for the glory and grandeur of the Union.

[From the *Chicago Tribune*.]

The sudden and shocking death of Mr. Vallandigham has produced an unusual sensation in all parts of the country. Since the death of Douglass he has been more generally acknowledged and looked up to as the leader of the Democratic party, than any other man. . . . .

That he was opposed originally to the acts of secession, there can be no doubt; and the man's honesty was never shown more clearly than in the fact that, though intensely opposed to the war, he felt bound, upon principle, to vote all the men and money demanded by the Government to prosecute the war, so long as it was sustained by the people.

Mr. Vallandigham was no demagogue. He did not sail with the wind. When he considered he was right, no power could move him; and neither the rage of opposition nor the appeals of friends could cause him to abandon his position. He was a man of ability far above the general average, and greatly in advance of any man now prominent in the Demo-

eratic party. He was one of the best public speakers in the country, and it cannot be doubted that if he had lived in a different time, he would have attained high official position. In private life, and in all his relations with his fellow-men, Mr. Vallandigham was a gentleman — cultivated, kind, warm-hearted, and generous. His death leaves a very large gap in the party to which he belonged.

[From the *Cincinnati Volksblatt*.]

A stormy and eventful life has suddenly been cut short. With unexpected quickness, and without the faintest premonition, the inexorable fates have snapped asunder the thread of life of a man in his most vigorous manhood and in the midst of a most hopeful career. As a meteor shoots through the sky and vanishes, as a mighty tree, seized by a roaring whirlwind, is uprooted and sinks to the earth with a crash, so rapidly and so mightily did C. L. Vallandigham sink into the cold arms of death.

Judge of Mr. Vallandigham's political past as you will . . . no dark stain cleaves to his private character or his social position. Even his bitterest enemies could not help recognising his strict honesty, incorruptible integrity, and his open and straightforward disposition; while his moral courage, his eminent mental qualities, his burning eloquence, and his courteous and polished demeanor, placed him in the foremost rank of the great men of the present day.

[From the *Cincinnati Volksfreund*.]

Vallandigham, in character as well as talents, stood far above the ordinary level of latter-day politicians. He possessed what most would-be statesmen, who employ the arts of pliancy and oiliness, want, viz: an indomitable courage, and manly pride enough not to disavow himself at any price in any condition of life. He possessed magnanimity enough to admit errors, and to endeavor to correct them; but whenever he felt he was right, he would not yield an inch, even to the strongest antagonist. It is the cowards that cherish rancor, but the courageous forgive and forget, as Vallandigham has shown by his conciliatory course.

[From the *N Y. Sun.*]

The voice of religion teaches that no man dies too soon or too late; but much as we believe this, the demise of Clement L. Vallandigham is none the less sudden, and to his friends most painful. His friends were many, even among his life-long political opponents; his enemies were few, even in his own party. A conspicuous figure ever since his first appearance upon the stage of political affairs, he was never so conspicuous as at the moment of his death, nor ever before had such power of being useful to his country.

Next, he was a man of courage, never hesitating to utter his opinions or shrinking from their defence. This noble quality was impressively exhibited in the last great act of his life, when he came forward to direct the Democracy in the new departure, unsaying his own old ideas, and advocating a policy he had before resisted.

He had an intense, ardent temperament; and his intellect, not so original or so massive, or in itself so powerful, as that of some others, was yet capable of most efficient work under the prompting of his vigorous, sleepless nature. He was generous, unpretending, kindly, true to his friends; and those who knew him were apt to like him. It was his ambition to become a Senator of the United States, and that desire is now over with him forever. But his mind will continue on tacit our politics long after his grave is closed; and if the Democracy continue, as they doubtless will, to follow the path into which he has led them, they will owe what success they may gain first of all to the foresight, the wisdom, and the firmness of Vallandigham.

[From the *Cincinnati Enquirer*, June 18.]

It was with emotions of unutterable sorrow that we chronicled yesterday the fatal accident to the Hon. C. L. Vallandigham, at Lebanon, Ohio. So sudden and overwhelming was it that we yet can hardly realise its truth. But yesterday, in the pride of vigorous health and the prime of manhood, a fine specimen of the physical as well as the intellectual man, with every appearance about him of longevity, he has fallen, and a melancholy tragedy has closed a character and a career that will never be forgotten in this country. Since the death of

President Lincoln, in 1865, no demise of any individual has created so great and universal a sorrow. The deceased was so extraordinary a man, and had had such a stormy political life, that his death at any time would have been a marked event; but occurring under the circumstances it did, it has invested it with the deepest historical interest and sad pathos. He may well be called a martyr to his profession. His zeal and enthusiasm for his client, who was being tried for his life, has cost him his own. No lawyer has ever erected a more splendid monument to the devotion and fidelity which should characterise the relations of counsel than he has by this sad catastrophe. No sentinel perishing at his post, no physician falling a victim to his efforts to save his patients, ever died in a more heroic and worthy manner. The bar of Ohio, of which he was a distinguished ornament, owe it to the profession to take a fitting and proper notice of this dreadful tragedy. Since all that is mortal of Mr. Vallandigham has gone, since party feelings of resentment and personal jealousies can have no further cause for action, we may contemplate him more impartially and judge of those great abilities which made him famous among men.

Whatever may be said of Mr. Vallandigham, who had his faults, none ever doubted his great brain-power — his superb intellectual attainments. In this he used no economy. Once enlisted in a cause, he devoted himself entirely to its accomplishment with remarkable enthusiasm. Had he not been endowed by nature with more than is usually accorded to men, his drafts upon his mental treasury would have seriously impaired its integrity.

The man was conscious of his own rectitude, and very many parallels may be found where unpopularity, as in his case, was the result of an unappreciating public, for he could not be called a popular man in the sense that public men are now viewed. The elements of his intellectual power were these: He had an iron will and an unconquerable resolution. He had an energy that never slacked, and always challenged admiration. His industry was untiring and most indomitable. He had patience and perseverance, and perfect self-control. Originally receiving a good education, it had been assiduously improved by study and reflection. He had one of the best and most finely selected libraries in the State of Ohio, and of its

treasures his wonderful memory had made him master. We have seldom met a man who had read history so attentively and thoroughly, and whose recollection of it could be so implicitly trusted. His mind was logical in its composition, and his perceptions of a point were always clear. There was a vigorous and forcible masculinity about his intellect that struck every one who was brought in contact with him. He had the ability to unite the qualifications of the lawyer with the statesman and with the popular orator, and he excelled, like S. S. Prentiss, of Mississippi, in all of them. He had fine imaginative powers, and his speeches are thickly strewn with rhetorical beauties that are never found in the efforts of the mere political man.

Ferociously assailed and denounced as no other man of his day and generation had been, there are few men who will not, when they look at the matter dispassionately, fail to give him credit for honesty and sincerity. He espoused during the war the weak side. He combatted popular passion and prejudice, and risked his life, his property and character in behalf of what he considered right. Had he been a venal and corrupt or an unprincipled man, he would have gone with the current, and obtained political honor and distinction instead of obloquy and reproach. It is to be regretted that more of our political men have not, as he had, the heroism to maintain an honest opinion, even at the expense of their popularity.

Socially he had great and commanding traits. There was a magnetism about him that drew toward him the good-will and affection of hosts of friends. No man in the State, even when he was generally under the ban of public opinion, had a greater number of personal adherents who would have stood by him under any and all circumstances.

In the course of his active and varied career it was often the fortune of the writer of this article to differ with him, and sometimes warmly and vehemently, upon party and individual policy. But we never failed to recognise the many splendid qualities that he possessed; and in the most trying season of his life, when he was brought to this city by General Burnside's order, in 1863, and the question was whether death or imprisonment should be his lot, we are proud to know that he recognised in a warm manner our humble efforts in his behalf. It is now to us a great satisfaction that just before the late State



Convention we saw him at Columbus and had a most cordial and friendly interview with him, and there finally disposed of any alienation or misunderstanding, if upon either side it had previously existed.

Little did we think as we bade him adieu that we were never to see him again in this world, that our eyes should never have another glance at his manly form. In one respect he was fortunate. Recent events and the modifying hand of time have soothed and obliterated much of the animosity which existed against him, and there is a kinder disposition to do justice than ever before, and he will be followed to his grave by the regrets of those who were lately his antagonists.

To the Democratic party of Ohio, to whom he had given a quarter of a century of vigorous and distinguished service, his loss is almost irreparable, especially now when we are in a campaign the issues of which he had so strongly marked out and traced, and which he was expected to uphold and defend with his usual ability. We feel assured that those who were the most opposed to the 'new departure' will deeply lament this untoward accident, and that their hearts will well out in sympathy with the sad fate of our distinguished leader. A thousand indescribable recollections of the past will rise in the hearts of his Democratic party friends who have stood by him through good and evil report, and melancholy will be the convictions that no longer shall they listen to his clarion voice nor hear his bugle-blast of defiance to the enemy. From the river to the lakes, and from Pennsylvania to Indiana, there will be an outburst of grief from thousands of stout hearts, which during the excited and heated contests of the last few years had been drawn toward him by the strong tie of mutual feeling, and by their admiration of his talents and heroic bravery.

Mr. Vallandigham was an ambitious man, but his ambition was of an elevated and noble kind. The stroke of fate has fallen upon him when apparently the sunlight of prosperity was about to descend upon his head, and when his chances were fair of gaining a life-long coveted distinction.

During the late canvass in Ohio the following eulogy was pronounced by the Hon. George H. Pendleton:—

“Who can commence the discussion of political questions

without being carried involuntarily to that scene of anguish and death which so lately clothed our party, our State, and our country in mourning?

‘The silver cord is loosened; the golden bowl broken.’

The voice that spoke so eloquently and so well is stilled. The intellect which thought so truly exerts its powers on other subjects, in other spheres. The strong, brave heart beats not to the conflicts of time. When I think of this I feel that we might imitate the captives of Judea, who by the waters of Babylon hung their harps on the willows, and sat down and wept when they remembered Zion. I did not know Mr. Vallandigham so long perhaps as many of you, but I knew him very well. During his whole service in Congress I was his colleague. During the eventful sessions of 1861–62–63 I was his daily associate and intimate friend. During the day of his arrest, and trial and imprisonment, I saw him at every hour that it was possible, and did what I could to mitigate the pain which an infamous tyranny inflicted. In all those times of anxiety and care and suffering I never heard from his lips one word inconsistent with the loftiest patriotism, the most unfaltering hope, and the most unblenching courage. You know he was able, and eloquent, and self-reliant, and studious; that he had great strength of will and force of character, and that magnetism which attracted and attached men closely to him. He was also cool and deliberate and patient. Beyond most men whom I have known he was sensitive to attacks upon the purity of his motives and character. I have seen him wounded to the quick — his heart lacerated until it seemed too sore to touch, and bleeding his life away — by the vindictive, savage abuse so unsparingly heaped upon him during the war. Never were attacks more unjust and infamous. No man loved his country more intensely, and sought for the wisest policy more conscientiously, or would have sacrificed more readily or more abundantly health and strength and fortune, and even prejudices and preconceived opinions, to secure its welfare. He would have been a war man if he could have believed that war would restore the Union. He would have been a devoted supporter of the Republican party if he could have believed its policy would have maintained the guarantees of liberty

afforded by our Constitution. As he could not believe this, he would not swerve from the conviction of the 'faith that was in him,' even though his heart should bleed and break at the blind misconstruction of his character and the wilful perversion of his words and aspersion of his motives. I thank God he has lived long enough to see that Time, the avenger in whom he had such unwavering faith, has commenced his work, and that many who had maligned him most were beginning to see their error and to do him justice. I thank God that at the last the sun penetrated the darkness of the night, and that his eye saw, even though only for a moment, the mist of the morning dissolving before its radiant beams. And if it be given to men who have gone hence to care for or to know the estimation in which they are held on earth, I know his spirit will be gladdened by the fact that all his countrymen, without dissent, will believe that he was as pure as he was able, as honest as he was brave, and as faithful as he was persecuted."

The following recollections of Mr. Vallandigham are from the pen of S. W. Gilson, Esq., of Canfield, Ohio. Mr. Gilson was at college with Mr. Vallandigham, afterwards studied law in his office, and during his life was a warm political and personal friend. After speaking of Mr. Vallandigham's course at college, and giving substantially the same account as has already been given by Dr. F. T. Brown and the Hon. S. Clemens, Mr. Gilson says:—

"After he left college I knew nothing more of him for some years until after I graduated. Then I came to Ohio, to Columbiana County, and commenced teaching a select classical school, and at the same time I commenced the study of law with Mr. Vallandigham, then in practice in New Lisbon, Ohio, and in his office I prosecuted my study until I was admitted in the spring of 1846. During the time I read with him, whilst he gave proper attention to his practice and the law connected with his cases, and prosecuted his profession with all the ardor which constituted the soul of his being, still he seemed inclined to study politics with full as much zeal

and so continued until within three or four years of the unfortunate termination of his brief but imperishable career, when he devoted his whole energy to his profession and practice, and had become one of the first lawyers of Ohio, always preserving his integrity and high character as a member of the bar, and commanding the respect of all.

“Soon after I commenced study with him he was elected to the Legislature of Ohio, and although young, whilst in that body he occupied a standing and position amongst the first members therein—always in his place, giving constant attention to the progress of legislation, and commanding the respect of his fellow-members, irrespective of party, by his well-expressed and consistent views of all the subjects of discussion and legislation.

“As a statesman he was well entitled to be ranked amongst the first in our nation. Learned as he was in all the history of the past; familiar with the rise, progress, decline, and downfall of the nations that had passed away in the world’s history, tracing with care, as he did, through the pages of history the causes that contributed to their greatness, grandeur, and glory, and the elements which in revolving years wrought their ruin: he could well declare the principles essential to the perpetuity of our free institutions. When a member of Congress, he well sustained himself as a debater and parliamentarian, and the speeches by him delivered during that time compare well with those of the best statesmen of England or America, and will live with those of Pitt and Burke and Fox of the old world, and Webster, Clay, and Calhoun of the new.

“Lastly, as a popular speaker in campaigns he had no superior in Ohio. I was with him much through the south and west of Ohio during the campaign when Thurman was a candidate for Governor, and I have never seen any speaker who could so long and so well hold an audience through an address. His manner of speaking on the ‘stump’ as well as elsewhere, was precise, calm, and dignified, speaking for hours without making a blunder, without violating a rule in grammar or rhetoric or logic. At times his address was characterised with extreme severity, but always chaste, classical, and dignified. Had he lived in this campaign, he would surely have been the most important character therein, and would have contributed much by his efforts to have enabled the Democracy to carry

Ohio for constitutional liberty, law, and order, and against Radicalism, fraud, and corruption. But he is gone, just when his work seemed to be half done. Would that he had lived for another score of years; for surely I would have seen him in that time occupy the highest position in the gift of the American people. Bravely had he fought through long years and against organised opposition; and though the dark night of the war had been long and the storms has been strong, yet he had never furled the rainbow flag of Democratic principles, of constitutional liberty. And surely he who had 'launched his barque for the skies' would never have become the 'drift-wood of the world,' but would have advanced from one degree of honor to another, until at last he would have stood on the mountain height where 'Fame's proud temple shines afar.' Proud, because his nation was great and glorious: 'but now, alas! of all things the reverse: earth has become his winding-sheet, and darkness palls the hearse.'

We close with the following tribute from the pen of the Hon. James W. Wall, formerly United States Senator from the State of New Jersey, and a warm political and personal friend:—

“CLEMENT L. VALLANDIGHAM.

“The announcement of the sudden death of this distinguished citizen of Ohio fell on Saturday upon startled communities everywhere within reach of telegraphic communication, as if they had heard a loud thunder-peal in a cloudless sky. In New York, as the bulletins announced ‘Vallandigham Dead,’ crowds gathered about them, and the words of deep sorrow that could be heard on all sides, testified that a great and good man had passed away from earth.

“Never did the force of the text, ‘What is your life: it is even a vapor that appeareth for a little and then vanisheth away,’ strike us more solemnly than when we read the announcement of our friend’s sudden death. It was only a few weeks ago that we were with him in New York, discussing together the points of the platform which has since caused so much excitement under the misnomer of ‘The New Departure.’ He was in full robust strength, his eyes flashing with intellec-

tual fire, and his cheek glowed with the ruddiest hues of health. As we parted from him we said: 'Be careful you do not fail, for failure now would be fatal;' and the answer came back in those full and old familiar tones: 'I know no such word as fail, for it finds no place in my dictionary. I shall fight the coming contest in Ohio with an earnestness and determination such as I have never exhibited before, and I rely upon your promise "to come over and help us."'" But, alas for the vanity of all human expectations and human projects!—the strong man, with twenty-five years of vigorous life in him, whose constitution never had been impaired by the excesses that overthrow so many, and who uttered these brave words, to-day lies clothed in the garments of the tomb, a shrouded corpse in the midst of that once happy home in Dayton where he was so long the light and glory.

"In the intercourse of life we sometimes, though rarely, find men admirable for their social qualities, for a clear and vigorous intellect, and for rare integrity and moral worth combined. Very pleasant is the friendship and society of such men, and their loss by death is a sad calamity. They are beloved, respected, admired, and illustrious, and never in vain do they live, or fail when dead to leave behind them an influence for good. Some men have great influence, and are superior because they have the natural endowments of a strong will and weighty force of character. Some are admired for their splendid genius, intellect, and high culture; some for social and others for moral gifts and graces. But the best conceivable type of character will combine the strength of a powerful understanding and a firm, reliant will, with the beauty of a true and loving nature, carrying with it, as such nature always does, kindness, benevolence, sympathy, and warm affections. All these met and were harmoniously blended in the character of Mr. Vallandigham. In all his life-work, never did human being more thoroughly carry out the counsel of David to Solomon: 'Show thyself a man.' It was illustrated in both his private and his public walk. Conscious ever of the rectitude of his intentions, he possessed all the courage that generally accompanies the sense of right, and nothing ever deterred him from the public expression of his honest opinions, leaving the consequences to The Great Disposer of events. . . .

"Mr. Vallandigham was early called into public life, and

he at once took high rank in the Legislature of his native State as a vigorous and polished debater. Upon entering the halls of Congress he leaped at one bound to the position of a leader. His first speech was listened to with rapt attention and undisguised admiration. During its delivery the House was hushed to an unwonted stillness, and the whisper went round the halls and galleries, 'Who is that graceful and earnest speaker?' After that memorable day the announcement anywhere in the Capitol, 'Vallandigham has the floor,' was sure to empty the Senate chamber, the Supreme Court, and all the hiding-places and recesses of the building. During the war, side by side with Cox, Voorhees, Pendleton, and May, he vainly attempted to protect the constitutional outposts from being driven in, and save the country from drifting into those swelling and treacherous rapids that are ever hurrying on to the great maelstrom of centralisation.

"Throughout the whole of that fierce struggle he never uttered a word or evolved a proposition that did not spring from a spirit of the most self-sacrificing devoted patriotism. We challenge a denial of this assertion, and dare any wretched libeller of the dead statesman to put his finger upon a single sentiment of his that Washington, Madison, and Jay might not have uttered. With a thorough knowledge of the Constitution, and a soul devoted to its preservation, he sacrificed all hopes of political advancement because he would not and could not sanction doctrines that have since been stamped as infamous by the supreme tribunal of the nation. He had an undying attachment to the Union of these States as equal and independent sovereignties, was strong in that patriotism which made him love his country even before himself, and well might have exclaimed with the greatest and purest of the Romans:—

'I am the son of Marcus Cato,

A foe to tyrants, and my country's friend.'

"His loss to-day to the country is immense, for it has torn from her, while in the full maturity and strength of his great powers, another of that little band of unselfish, unsullied hearts that worshipped her for herself alone, and not for the honors or emoluments she had to bestow. His loss to Ohio and the Democracy of that gallant State is irreparable. There is no one

left that can fill the place made void by his lamented and awfully sudden death. As the present Governor said to a friend of the writer of this, 'Vallandigham was a most powerful man to contend against in a popular canvass. His resources are immense and varied, while he exercises a most magnetic influence over the crowds that flock to hear him, and who are carried away by his eloquence. In invective and withering sarcasm he has not his superior in the State, and I doubt very much whether he has out of it.' This is a tribute from a generous political foe, and from one who found in him 'a foeman worthy of his steel.'

"We have seen him at large political gatherings, when by the magic of his potent eloquence he made 'men to be of one mind,' and swayed them as if they were influenced by one supreme will. He was always a man of such dignity and propriety of manners before an audience as to at once impress it with the importance of his subject and the occasion. He never told stories for the purpose of causing laughter—he was too full of mental resources for that. He might illustrate a point of his speech by an occasional anecdote, but this was very rare; and he ever adhered strictly to the truth when dealing with the record and doctrines of the opposite party. As he always said, 'It is grossly insulting to an audience to lie to them about even their enemies. Truth always is the measure of wrath that should be dealt out to the opposition.' He ever entrenched himself behind truth, and from that battery shot forth the mighty missiles of his brain. The tones of his musical voice were full, round and distinct; and large as was the crowd, his every word could be heard with facility at its outermost verge. His eye was expressive and most penetrating in its power when under excitement; and his 'glance was stern and high' when he was depicting in his own graphic way the wrongs and outrages committed by the infamous Lincoln administration upon the freedom of the citizen and the rights of free speech and a free press. The minions of arbitrary power quailed before the lightning of his glance, as well they might. They could not stand up before the potency of his rebuke; and as all tyrants and their minions have done in every age, they tried to break his spirit by imprisonment and banishment, but in vain.

"... With all the wrong and outrage inflicted upon the subject of our sketch, thank God he lived long enough to find



that time had brought along some of its revenges; he lived long enough to hear the loftiest judges of the land, those appointed by Lincoln himself, by a solemn decision pronounce his persecutors 'usurpers of power and invaders of the public liberty.' There never lived since the days of Sydney a more earnest, eloquent and devoted champion of civil liberty, and at the same time a more humble and obedient servant to the law, when constitutionally administered, than Clement L. Vallandigham.

"The crowd of citizens of all parties who gathered in Dayton to pay the last sad tribute of respect to the memory of Ohio's great statesman, was a most eloquent commentary upon the madness and injustice which made life's experience so bitter to the living patriot. The stern hand of death appears to have torn asunder the veil which so long concealed the grand proportions of the man from so many eyes; and he now stands revealed, and will go down to posterity, as the pure, unselfish and incorruptible patriot that he really was.

"His life-work is done, and these earthly acclamations and tributes cannot reach him on that far-off shore whither he has gone. Amid the blessed realities of eternity he cares not for them; but to us who remain, who loved him living and mourn him dead, these tributes are exceedingly precious. They are precious as the costly myrrh and spikenard that were cast into the Roman funeral-pyre. They reveal to us how unjust were the passions and prejudices of the hour when he was hounded almost to his death, and bear most eloquent witness to the great and intrinsic worth of the man thus cruelly persecuted. Death was the 'Ithuriel spear' that touched him and revealed him to the world in his true character as a man and a patriot. It was not, it is true, the reward looked for, and that was to compensate

'The patient search and vigil long  
Of him who treasures up a wrong,'

to use the words he was so fond of quoting from his favorite *Mazeppa*; but it was something infinitely purer and holier: the tribute, not wrung from the result of earthly passion and the fruition of revenge, but the result of the illumination of the God-like truth that filled the breasts of that mourning multitude — suddenly and potent, and we speak it with all re-

verence, as that 'light like unto noon-day' which flashed around the stricken Saul as he fell prostrate, conscious of all the wrongs and outrages he had been guilty of as a persecutor of the saints.

"His friend Groesbeck struck the key-note of Vallandigham's patriotism when he said at the bar meeting:

" 'I dare not think of this man as anything but patriotic. No man could have questioned his patriotism, his love for the whole country. Had a foreign foe dared to touch merely the outside hem of the garment of the country, you would have had from him such an exhibition of patriotism as would have kindled you with new fire. But this war of States, this Damon and Pythias quarrel, he deprecated and could not understand, for he loved both North and South alike with his whole heart.'

"Oh, how true all this is! His patriotism had no sectionalism about it. It was not hemmed in by State lines, but beat responsive to a universal love. He strongly felt as regards both North and South, 'We all are brethren.' His deep historic research, more marked in him than in any other man we ever knew, had revealed to him the accumulated and accursed horrors of civil strife. How often have we conversed with him over those passages of Lucan in his *Pharsalia* bearing upon the fiercest civil struggle of ancient Rome. In that poem the atrocities of the Marian civil war are brought prominently forward in the narrative. The beautiful, cold, classic mythology has there no place. The supreme powers that hover over the scene of slaughter are the local deified men and heroes, and the evil spirits of the country. The ghost of Sylla rises in the field of Mars, and the dead Marius is seen to break open his sepulchre on the banks of the Arno. A corpse is taken from the field of death, the spirit forced to re-enter it and tell what it has seen. The tortured ghost beholds Cincinnatus, the Decii and the Curii patriots of Rome weeping and wailing, while Marius and Cataline are seen bursting their chains and shouting applause. He often commented on this vision of the poet, and declared that it rose before him in all its ghastly horror every time he read an account of the meeting of North and South on bloody battle-fields. He struggled with all the ardor and energy of his nature to ward off the fearful collision; and when it came, he was continually for extending the olive-branch whenever an opportunity offered. Let no wretched speculator who was turning the blood and bones of his slaugh-

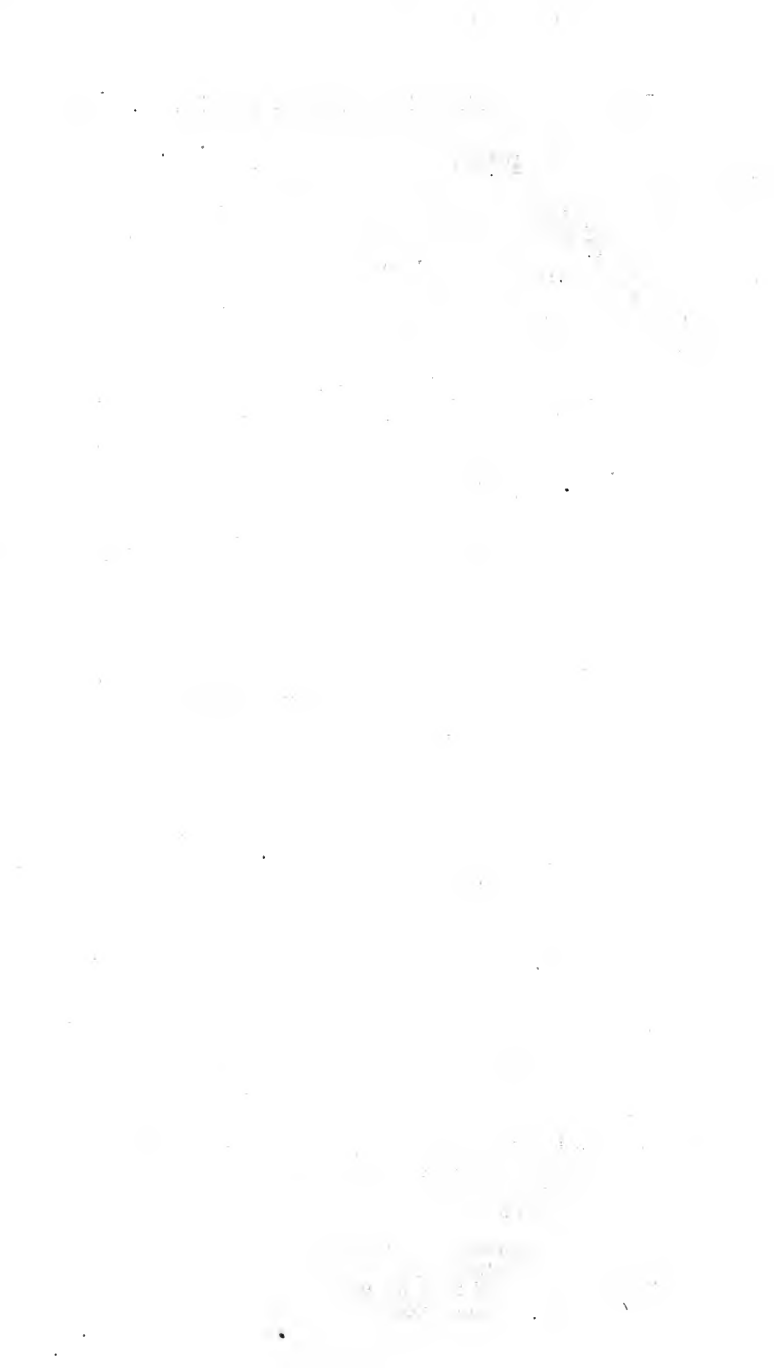
tered countrymen to profit, dare to question the sincerity of his motives.

"The blessings and the inheritance promised to the peacemakers in Holy Writ are his to-day, and he can gaze with serene pity from the blessed abodes where he rests, upon the pharisaical and narrow souls of such malignants. When he felt that the hem of his country's garment had been trodden upon by a foreign foe, as in the Trent affair, he was the first to resent it; but the cowardly souls of those who were coining fortunes out of their country's woes, shrank back affrighted from the proposition, preferring to humiliate themselves and country before a foreign foe sooner than hazard the close of a civil strife where that country's loss was their gain. Death at last canonised the man. He fell with his harness on, and as General McCook remarked, 'it clanged when he fell.' He is now far beyond the reach of the praise of his friends or the censure of his foes; but as years roll on, his public fame shall brighten more and more, while the memory of his vile detractors and persecutors will have perished from the earth.

"Thus much and more we could have written of the public man. When as a friend we come to speak of his heart, we falter and break down. We cannot praise him without tears. His friendship was not lightly given, but when once given it could not be too dearly prized. A brave heart is always kind. When he had quietly and carefully tried any one, studied his character and found him not wanting, but steadfast and true, he never wavered in his friendship. A perfect gentleman in the instinctive caution about interfering in anything whatever that did not concern him; yet on all suitable occasions, especially in the hour of trial, he showed a steadiness of friendship and a firmness of confidence that shone over the darkness and storms of life like the rays of the beacon to the worn-out mariner. For ourselves, as we remember the pleasant hours of the past, we can only close in those sweetly touching lines of Tennyson:—

'We weep a loss forever new,  
A void where heart on heart reposed;  
And where warm hands have pressed and closed—  
Silence till *we* be silent too.

'We weep the comrade of our choice,  
An awful thought, a life removed,  
The human-hearted man we loved,  
A spirit, not a breathing voice.'















**THIS BOOK IS DUE ON THE LAST DATE  
STAMPED BELOW**

**RENEWED BOOKS ARE SUBJECT TO IMMEDIATE  
RECALL**

**LIBRARY, UNIVERSITY OF CALIFORNIA, DAVIS**

Book Slip-50*m*-5,'70 (N6725s8) 458—A-31/5

211596

Vallandigham, J.L.  
A life of Clement  
L. Vallandigham.

E415.9

V2

V2

LIBRARY  
UNIVERSITY OF CALIFORNIA  
DAVIS

